

19th Oct, 2022

Learned counsel for the appellant present.

Let a pre-admission notice be issued to the other side for reply. To come up for reply/preliminary hearing on 04.11.2022 before S.B.



(Kalim Arshad Khan)
Chairman

15th Sept, 2022

Counsel for the appellant present.

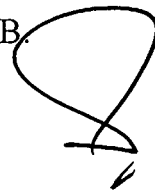
Preliminary arguments heard at some length. Learned counsel for the appellant wants to place on file some judgments of the superior court. He may do so within a week. To come up ~~for implementation report~~ on 10.10.2022 before S.B.



(Kalim Arshad Khan)
Chairman

10th Oct. 2022

Learned counsel for the appellant present and produced a copy of judgment reported as 2004-SCMR-1439 WAPDA Vs. Fida Hussain wherein the reply submitted by the department in a Constitutional Petition filed by the employee was considered to be an order of the departmental authority on the departmental appeal. Therefore, the objection is overruled and matter be fixed before the S.B for preliminary hearing. To come up for preliminary hearing on 19.10.2022 before S.B.



(Kalim Arshad Khan)
Chairman

Respected sir,

It is submitted that the present appeal has been filed by learned counsel for the appellant which was returned to him with office objection (Flag-A). Today i.e. on 19.08.2022 he re-filed the appeal without removing objection no.1 with a note of request i.e.(Flag-B).

Now the appeal is submitted to your honors under rule-7(c) of Khyber Pakhtunkhwa Service Tribunal rules 1974 for appropriate order please.


REGISTRAR

Worthy Chairman


Object to
be
forwarded
to
learned
counsel
for
06/09/22

The appeal of Mr. Abdul Wali Khan r/o Officer Garden Warsak Road Peshawar received today i.e. on 15.08.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of departmental appeal is not attached with the appeal which may be placed on it.
- 2- Copy of rejection order of departmental/final order if any may also be placed on file.
- 3- Proper index of the appeal is not attached with the appeal.

No. 2396 /S.T,

Dt. 17/8 /2022


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.


Nazir Ahmad Adv. Pesh.

Sir,

1. The Appellant filed the writ petition in respect of the same subject matter & in response, the Respondents filed para wise comments. The writ petition was allowed which is placed on file.
2. The Appellant then filed COC & the Respondents again filed the para wise comments, which is placed on file & is merged (Page 32 & 37). The COC was disposed of on the ground of the said para-wise comments.
3. The Appellant filed another writ petition which is returned on the basis of jurisdiction and the para-wise comments are filed third time.

Keeping in view the three times para-wise comments of the Respondents, whereas the Apex Court has held that there is no need of departmental appeal for review the object is clear. The other objection is removed.

Re-Submitted. Place before the Chairman.


29/8/22

K. PR. Nazir Ahmad
IN THE PESHAWAR HIGH COURT, PESHAWAR.

Service Appeal No. *1535* /2022

Abdul wali Khan versus Government of Khyber Pakhtunkhwa
through Chief Secretary and others

INDEX

S No	Description	Annexure	Pages
1	Memo of the Appeal and Affidavit <i>Applicant</i>	-	1-6
3	Writ Petition No 1742/2018 with all the relevant documents and judgment dated . 24.9.2018	A	7-26
4	Copy of COC 927/2019	B	27-29
5	Impugned minutes and decision of PSB dated 19.4.2019.	C	30-37
6	Order of the high Court Peshawar in COC 927/2019	D	38-39
7	Copy of the Writ Petition No-4875-P/2020 and judgment of the Court dated 30.6.2022	E	40-49
8	Promotion of juniors to the Appellant	F	50-90
	Wakalat nama		- 91

Through

Nazir Ahmad
Appellant

Nazir Ahmad
Nazir Ahmad, Advocate

High Court, Peshawar

Cell: 0301-8571879

0332-8540783

In The Khyber Pakhtunkhwa Service Tribunal .
PESHAWAR.

①

Service Appeal No ¹⁵³⁵-----/2022

Abdul wali Khan S/O Fateh- Ul- Mulk R/O officer garden Street 4 House
No 1 Warsak Road Peshawar..... **Appellant**

Versus

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Peshawar.
2. Secretary to irrigation, Government of Khyber Pakhtunkhwa, Irrigation Department Civil Secretariat Peshawar.
3. Chief Engineer, Irrigation Department Warsak Road, Peshawar.

Respondents.

Service Appeal Under section 4 of the Service Tribunal Act against the impugned minutes and decision of the PSB (Promotion selection Board dated 19.4.2019)whereby the Proforma promotion is denied to the Appellant on the ground that at the time of the retirement of the Appellant the vacancy was not available.

Prayer:

On acceptance of this Appeal the Respondents may be directed to place the case of the Petitioner before the Provincial Selection Board for Proforma promotion and grant him such promotion as it is his right been eligible at the time of retirement for such promotion i.e 6.10.2017.

Respectfully Sheweth: -

The need for the instant Appeal arises due to the following facts:

Facts:-

1. That the Appellant was appointed as Assistant Engineer BPS-17 in the Respondents Department on adhoc through notification

dated 27.9.1978, regularized on 23.05.1988 , was promoted to BPS 18 and was vide Notification No So/(E)/IRR/4-1/71/Vol dated 4th January 2017 transferred and posted at Mardan Irrigation Circle as Superintendent Engineer on acting charge basis. The Appellant acted as Superintendent Engineer till his retirement i.e. 6.10.2017.

2. That the Respondent Department along with others sent the proposal of the Appellant with working paper for his promotion to BPS- 19, on 29.9.2017 to Provincial Selection Board in which the Appellant was placed at serial no-5 with 5 vacancies available at the time . The due to the malafide of the Secretary Irrigation Provincial Selection Board was not convened in time and due to delay the Appellant stand retired during this time and when next time the PSB meeting was held the Appellant was dropped
3. That being aggrieved the Appellant filed Writ Petition No 1742-P/2018 before the Peshawar High Court and the Respondents filed para-wise Comments and after arguments, the Petition of the Appellant was admitted and allowed on 24.9.2018 with clear direction to the Respondent in para 6 of the Judgment for sending the case of the Appellant to Provincial Selection Board for its consideration for Proforma promotion to BPS- 19 on the basis of record which was prepared before his retirement for the consideration of Provincial Selection Board for his promotion in BPS 19.

(The copy of Petition, copy of Working Paper, para-wise comments and Judgment dated 24.9 2018 is attached as Annexure-A).

4. That the Respondents were not obeying the judgment of the court therefore the Appellant filed Contempt of Court Petition before the Peshawar High Court against the Respondents and the court issued show cause to them

(Copy of the COC-N0-927-P/2019 is attached as Annexure B).

5. That the Respondents after the judgment held the meeting of the Provincial Selection Board on 19.4 2019 but did not considered the Petitioner for the Proforma promotion on the ground that there was no vacancy at the time of retirement of the Petitioner

(The impugned minutes and decision of the Provincial Selection Board is attached as Annexure C) .

6. That the Court while disposing the Contempt of Court Petition of the Appellant dispose of it by order that the judgment of the Court has been implemented in letter and spirit as we have ordered the Respondents to consider the Appellant for Proforma promotion and the Respondents had placed it before the Provincial selection Board (PSB) and has considered it so this COC has served its purpose and disposed of the Contempt Petition on 14.10.2020 with a right to impugn the order of the Respondents dated 19.4.2029 if aggrieved of it.

(Copy of the order of the Court dated 14.10.2020 is attached as Annexure D)

7. That being aggrieved and with no adequate alternate remedy available the Appellant filed a Constitutional Writ Petition 4875-P/2020 which is dismissed on the ground of jurisdiction under Article 212 of the Constitution of Pakistan .

(Copy of the Writ Petition No-4875-P/2020 and judgment of the Court dated 30.6.2022 is attached as Annexure E)

That not satisfied with the decisions above hence this Service appeal is preferred on the following grounds:

Grounds:-

- A. That while allowing the Writ Petition of the Appellant the Honourable Court in its judgment laid down that it is well settled that a retired employee would be eligible for Proforma promotion provided he fulfilled the criteria. The Petitioner fulfilled the criteria and was thus eligible for Proforma promotion and non- granting him the Proforma promotion is not a consideration in real sense which is to be meaningful and purpose full and the impugned order dated 19.4.2029 is not a consideration but a denial and wrong conclusion ,therefore, is without jurisdiction and lawful Authority and be declared null and void.
- B. That the non convening of the Provincial Selection Board was not the fault of the Appellant but due to pathetic and lethargic and malafide attitude of the Respondent the PSB was not

convened when the Appellant was in service and the vacancy was available and the Appellant was eligible, consequent thereof the Appellant suffered and it is well settled that no one shall suffer due an act of state functionaries.


- C. That in Proforma promotion it is not mandatory that the post must be lying vacant even after the retirement of the servant but it is a remedial act to benefit a civil servant if he did suffer due to fault of Respondent Department.
- D. That the Respondents even after the retirement of the Appellant promoted his junior and for them there was no problem of the vacancy.

(Copy is attached as Annexure F).

- E. That for Proforma promotion a vacancy shall not be a hurdle as it benefits the appellant only in pension and it does not infringe or affects the right of anyone else or his seniority nor he required for any service in the Department.
- F. That the Respondents were wrong to argue that the Court has ordered for consideration and we while placing it before the PSB and rejecting it on the ground of vacancy have considered it .


Appellant

Through


Nazir Ahmad. Advocate.
High Court. Peshawar.
 Cell# 03018571879.
 03328540783.

5

Certificate

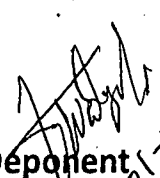
The appellant filed Writ Petition no 1742-P/2018 which was allowed and then filed a COC No 927-P which is disposed then filed a writ petition which is dismissed but has not filed any service Appeal .


Appellant

Affidavit

I Abdul wali Khan S/O Fateh Ul- Mulk R/O officer garden Street 4 House no 1 Warsak Road Peshawar the Appellant do hereby affirm and declare on oath that contents of this Appeal is true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Honorable Court.




Deponent
CNIC# 17301-1598578-3
Cell# 03339132101

In the R.P. Service Tribunal, Peshawar (6)
Abdul Wali Khan vs Govt of K.P. High Chief Secy +
EHS

Application for condonation of delay

Respectfully Sheweth:

- 1- That the Appellant filed a writ petition in respect of the subject matter which was accepted. Filed a CO2 which was disposed of. Filed another writ petition in respect of the same matter which is dismissed on the ground of Jurisdiction.
 - 2- That during the whole process no objection on the Jurisdiction is raised & even after filing the writ petition, the writ was notice and no objection was raised. Therefore the neglect or fault if any is contributory & not on the part of the Appellant.
- Therefore, it is prayed that the delay if any may be condoned in the best interest of justice.

Verification

Verified that the contents of this application is correct & true
Muzi
12/8/22

Appellant
High Court
12/8/22



Annex
A

IN THE PESHAWAR HIGH COURT PESHAWAR

W.P No 1748/2018

Abdul Wali Khan S/o Fateh-ul-Mulk R/O Officer Garden, Street No. 4, House No. 1 Warsak Road Peshawar. **Petitioner.**

VERSUS

1. Govt of Khyber Pakhtunkhwa, through Chief Secretary Secretariat, Peshawar.
2. Secretary Irrigation Department Government of Pakhtunkhwa Civil Secretariat Peshawar.
3. Chief Engineer Irrigation Department Warsak Road.....Respondents



PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN

Respectfully Sheweth:

Brief but necessary facts necessitating the instant petition are as under:-

1. That the petitioner was appointed as Assistant Engineer on (Adhoc) basis in BPS-17 in the Irrigation Department vide notification vide NO. SO(E)J&PHE/4-8/87 dated 27.9.1987. Copy of the appointment letter dated 27/09/1987 is annex "A".
2. That the petitioner along with his other colleagues (Assistant Engineers) who were also appointed on adhoc basis were regularized on 23.05.1988 vide notification No. SO(E)J&PHE/4-4/87/irr. Dated 23.05.1988. Copy of regularization order is annex "B".
3. That respondent No. 2 vide notification No. SO(E)RR-/4-4/71 dated 02.08.2005 promoted petitioner to BS-18 on acting charge basis. Copy of notification order dated 02/08/2005 is annex "C".

Attested

Attested

FILED TODAY
Deputy Registrar
26 MAR 2018

ATTESTED
EXAMINED
Peshawar High Court
27 SEP 2018

4. That thereafter respondent No.02 vide notification No. SO/(E)/IRR/4-1/71/VOL, dated 4th January, 2017 transferred the present petitioner to MARDAN Irrigation Circle as Superintendent Engineer against the vacant post in his own pay scale on temporary basis.

It is pertinent to mention here that petitioner remained on the said post for about one year i.e 04/01/2017 to 06/10/2017. Copy of the Notification Dated 4/01/2017 is annex "D".

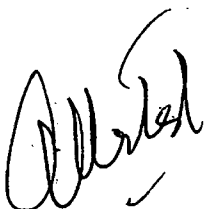
5. That the Respondent department on 29.9.2017 sent the proposal of petitioner along with his seven other colleagues to Selection Board for promotion to BPS-19 in which the petitioner was at serial NO.5 but the name of petitioner was dropped due to the reason that petitioner shall stand retired from government service on 06/10/2017 on attaining the age of superannuation. Copy of list of officers for consideration is annex "E".

6. That on 06.10.2017 the petitioner got retired from his service in BS-18 instead of BPS-19 for which the petitioner has served the Respondent department for one year and was legible much before his date of retirement. Copy of the Notification order dated 09/05/2017 is annex 'F'

7. That the petitioner has served the respondent department with zeal and devotion having a spotless tenure of (30 years) without giving any chance of complaint to his high-ups.

8. That there is no alternate adequate remedy available therefore petitioner approaches this Hon'ble court for the following grounds.

GROUND:



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Deputy Registrar
26 MAR 2018

ATTESTED
EXAMINER
Peshawar High Court
27 SEP 2018

9

112

(C)

A. That the petitioner has served the department almost one year as superintendent engineer in (BS-19) till his retirement. Hence the impugned refusal of the respondents is based on mala-fide.

B. That reasons given by the selection board for not considering the petitioner for promotion is an act of punishing the petitioner after his retirement instead of rewarding him.

C. That the petitioner served the department for a long period of 30 years and stood retired on dated 06/10/2017, during the last period due to availability of vacancy he was entitled for subject promotion on account of his seniority and length of his service but the same was denied and thus the petitioner stood retired on the lower post which has resulted miscarriage of justice.

D. That if the petitioner been promoted to next higher grade i.e BS-19 resultantly he would have got all the pensionary benefit of the higher post, but the same was denied to him which is the violative of law Rules and the dictum laid down by the superior courts of the country.

E. That the Acts/omissions of respondent's tantamounts to imposing major penalty and thus petitioner was penalized for no fault and it his part at the dusk of his service carrier without providing him any opportunity of hearing which is against the principles of natural justice.

F. That the decision of selection board is violative of Art-4 and 25 of the constitution, therefore is illegal and unconstitutional against the rights of the petitioner.

Abdul Wali Khan

G. That the petitioner has been treated against the law unequally and therefore, deprived of equal protection of law.

ATTESTED
EXAMINER
Peshawar High Court
27 SEP 2018

FILED TODAY
Deputy Registrar
26 MAR 2018

Abdul Wali Khan

PRAYER

It is ,therefore, prayed that refusal of respondents to consider petitioner for promotion to BPS-19, is mala-fide without lawful authority and of no legal effect thus this Hon'able court may kindly direct the respondents to consider the petitioner for promotion to BS-19 w.e.f 04.01.2017 with all back benefits

Petitioner

Through

A.Lateef Afridi

Khalid Anwar Afridi

Sajeed Khan Afridi

And

Mohsin Khan Momand
Advocates Peshawar

CERTIFICATE

It is certified that no such like writ petition has earlier been filed by the petitioner in this Honorable court. It is further stated that being the writ petition on the score that since there is no adequate and alternate legal remedy is available or previously availed or approached lower forum thus this case may be fixed before the worthy Division Bench (D.B) of this Honorable Court.

LAW BOOKS:

1. Constitution of Pakistan
2. Any Law Book as per need

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ADVOCATE

[Handwritten signature]

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ATTESTED

EXAMINER
Peshawar High Court

27 SEP 2018

FILED TODAY
Deputy Registrar

26 MAR 2018

IN THE PESHAWAR HIGH COURT PESHAWAR

W.P No 1727 2018

Abdul Wali KhanPetitioner.

VERSUS

Govt of KPK, and othersRespondents

AFFIDAVIT

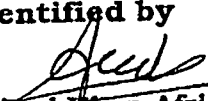
I, Abdul Wali Khan S/o Fateh-ul-Mulk R/O Officer Garden, Street No. 4 , House No. 1 Warsak Road Peshawar hereby affirm and declare on Oath that the contents of the accompanying Writ Petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon`able Court.

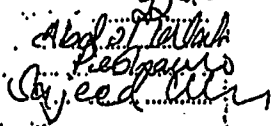
DEPONENT

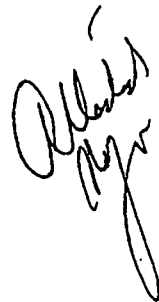


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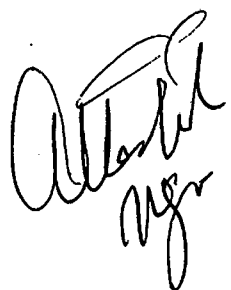

Sajjad Khan Afridi.
Advocate Peshawar

18980
Certified that the above affirmation is true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon`able Court.
day of 27 03 2018
s/o Fateh ul Mulk
who was identified by Sajjad Afridi
Who is personally known to me.

27/03/2018



FILED TODAY
Deputy Registrar
26 MAR 2018

ATTESTED
EXAMINER
Peshawar High Court
27 SEP 2018



IN THE PESHAWAR HIGH COURT PESHAWAR

W.P No 17421/2018

Abdul Wali KhanPetitioner.

VERSUS

Govt of KPK, and othersRespondents

ADDRESSES OF PARTIES

PETITIONER:

Abdul Wali Khan S/o Fateh-ul-Mulk R/O Officer Garden, Street No. 4, House No. 1 Warsak Road Peshawar

RESPONDENTS:

1. Govt of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat, Peshawar.
2. Secretary Irrigation Department Government of Khyber Pakhtunkhwa Civil Secretariat Peshawar.
3. Chief Engineer Irrigation Department Warsak Road

Petitioner

Through

A. Labeef Afridi

Khalid Anwar Afridi

Sajjad Khan Afridi

And Mohsin Khan
Mohsin Khan Momand
Advocates Peshawar

FILED TODAY
Deputy Registrar
26 MAR 2018

ATTESTED
EXAMINED
Peshawar High Court
27 SEP 2018

(3)

Amir

(4)

PSB-1

WORKING PAPER FOR PROVINCIAL SELECTION BOARD

Department IRRIGATION DEPARTMENT KHYBER PAKHTUNKHWA

- 1. Nomenclature of the post Superintending Engineer (BS-19) Irrigation Department.
- 2. Service Cadre Provincial Engineering
- 3. Sanctioned Strength of regular cadre 11

	Direct	Promotion	Transfer
4. (i) Percentage of share	00	100%	-
(ii) No. of posts allocated to each category	00	11	-
(iii) Present Occupancy position	00	06	-
(iv) No. of vacancies in each category	00	05	-

(v) How did the vacancy (ies) under Promotion quota accrue and since

A case/working paper for promotion of 05 XENs (BS-18) to the post of Superintending Engineers (BS-19) against the above regular vacancies has already been forwarded to Establishment Department for placing it before Provincial Selection Board (Annex-I). In the above panel (04) XENs, Engrs: Niaz Sarwar, Alta-ur-Rehman, Sheikh Muhammad Jalil and Malik Mazhar are already appointed as Superintending Engineers (BS-19) on acting charge basis and presently performing their duties against the Ex-Cadre/Project Posts. In addition to that there is another project post namely Advisor (BS-19) is lying vacant in Remodeling of Warsak Canals System Project. After promotion of above Acting Charge Superintending Engineers on regular side, the resultant vacancies would become 05 which are required to be filled in by appointment on acting charge basis under Rule 9 (4) of the (Appointment, Promotion & Transfer) Rules, 1989.

(vi) Recruitment Rules

By promotion, on the basis of seniority-cum-fitness, from Amongst the Executive Engineers/Deputy Directors with at least twelve years service in BPS-17 and above (Annex-II)

(vii) Required length of Service

12 years

(viii) Whether to be promoted on Regular basis or appointed on Acting charge basis.

05 (On Acting Charge Basis)

(ix) Mandatory training, if any

Nil

(x) Minimum required score on EI

60

Alta-ur-Rehman

Signature

Signature _____
 Designation: Secretary to Govt. of Khyber Pakhtunkhwa
 Irrigation Department
 Peshawar

Dated 27-3-2014

PANEL OF OFFICERS FOR CONSIDERATION

PSB-II

S.#	Seniority No.	Name of Officer with qualification	Date of Birth	Date of 1 st entry into Govt. Service	Date of Appointment / Promotion to BS-17	Date of regular appointment / promotion to the present scale	Whether fulfill the prescribed length of service	Quantified scores	Missing PERs (if any)	Disciplinary proceeding (if any).	Case (if any) in any court of law including NAB/plea bargaining with NAB	Mandatory training for promotion	Research Papers	Present posting	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
1	7	Engr: Halder Ali, B.E (Civil)	01.04.1961	26.04.1988	26.04.1988	21.06.2003	Yes		1.1.2003 to 13.7.2003, 1.1.2013 to 1.8.2013, 1.1.2015 to 31.12.2015 & 1.1.2016 to 4.8.2016	Nil	Nil	Nil	Nil	Superintending Engineer (H/Q) North Irrigation.	Working as S.E in his own pay scale.
2	8	Engr: Muhammad Rafiq, B.E (Civil)	01.01.1958	26.04.1988	30.04.1988	21.06.2003	Yes	50.00	Nil	Nil	Involved in VR case with NAB	Nil	Nil	Superintending Engineer, Irrigation Circle, Swabi.	Working as S.E in his own pay scale.
3	9	Engr: Aamer Iqbal, B.E (Civil)	20.10.1962	26.04.1988	30.04.1988	21.06.2003	Yes	52.47	1.1.2010 to 15.7.2010	Nil	Nil	Nil	Nil	Director, Small Dams, Peshawar	Working as S.E in his own pay scale.
4	10	Engr: Muhammad Shoaib, B.E (Civil)	30.04.1958	26.04.1988	30.04.1988	02.08.2005	Yes	52.4	Nil	Nil	Nil	Nil	Nil	Superintending Engineer, Irrigation Circle,	Working as S.E in his own pay scale.

WP4875P2020 ABDUL WALI KHAN VS GOVT OF PG72.pdf

															Bannu.	
5	11	Engr: Abdul Wali Khan, B.E (Civil)	07.10.1957	23.01.1988	23.01.1988	02.09.2005	Yes	54.09	Nil	Nil	Nil	Nil	Nil	Superintending Engineer, Irrigation Circle, Mardan.	Working as S.E in his own pay scale.	
6	12	Engr: Musrim Khan, B. E (Civil)	02.03.1958	23.01.1988	23.01.1988	02.09.2005	Yes	23.8	01.01.2007 to 31.12.2016	Nil	Nil	Nil	Nil	Executive Engineer, Hydrology Irrigation Division, Peshawar	Working as XEN (BS-18)	
7	13	Engr: Qabil Shah, B.E (Civil)	01.04.1958	23.01.1988	23.01.1988	02.09.2005	Yes	53.30	Nil	Nil	Nil	Nil	Nil	Deputy Director, Rehabilitation of Irrigation System Project, Peshawar	Working as XEN (BS-18)	
8	14	Engr: Noor Kamal, B.E (Mech:)	10.09.1959	23.01.1988	23.01.1988	02.08.2005	Yes	25.04	01.01.2007 to 31.03.2007 01.01.2008 to 31.12.2008 01.01.2009 to 31.12.2016							

WP4875P2020 ABDUL WALI KHAN VS GOVT CF PG72.pdf

Abdul Wali Khan

Abdul Wali Khan

16

(16)

Abdul
Majid

(16)

Certified that:-

1. The officers included in the panel are eligible in all respects and have the requisite length of service as prescribed under the rules.
2. No disciplinary action/proceeding in any court of law are pending against the officers included in the panel except the officer at Sr. No. 2 who is involved in VR case with NAB Authorities which is under trial in the court.
3. The officers at Sr. No. 1 to 6 of the seniority list have already been appointed as Superintending Engineers (BS-19) on acting charge basis and working paper for promotion of 05 Superintending Engineers (BS-19). Acting Charge to the post of Superintending Engineers (BS-19) on regular basis is under process in Establishment Department.
4. The officer at Sr.No. 5 of the panel shall stand retired from govt. service on 06.10.2017 on attaining the age of superannuation (Annex-III).
5. The previous letter communicated with Establishment Department in this connection is at (Annex-IV).
6. The officers included in the panel are not involved in NAB case nor entered into plea bargaining with the NAB except the officer at Sr. No. 2.

Signature

Designation Secretary

Irrigation Department, Peshawar

Dated

20-3-2019

17

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

WRIT PETITION NO. 4875/2020

Abdul Wali Khan.....

(Petitioners)

VERSUS

Govl. of Khyber Pakhtunkhwa through Chief Secretary & others

(Respondents)



PARAWISE COMMENTS ON BEHALF OF OFFICIAL RESPONDENTS

Respectfully sheweth: -

Preliminary Objections: -

1. That the petitioner has got no cause of action.
2. That the petitioner cannot invoke the extraordinary jurisdiction of the Hon'ble court.
3. The petitioner is estopped by his own conduct to file the instant writ petition.
4. That it is a matter of delegated legislation & cannot be challenged before the court of law.
5. That the petitioner is not an aggrieved person under article 199 of Constitution of Islamic Republic of Pakistan.
6. That the August Hon'ble court has no jurisdiction as barred by Article 212 of the Islamic Republic of Pakistan Constitution 1973.
7. That it is policy matter & as per apex court, decisions in such like matters, writ jurisdiction is not invocable due to its implied bar.
8. That the writ petition is not maintainable in its present form and it suffers from legal lashes.
9. The case has already been decided by the Hon'ble Peshawar High Court, Peshawar vide its judgment dated 14.10.2020 in COC No. 927-P/2019 in Writ Petition No. 1742-P/2018 (Annex-I). Thus is hit by the principle of res-judicata.

ON FACT:

1. Incorrect, hence denied the petitioner was appointed on 27.09.1987 on adhoc basis instead of 27.09.1978 and was posted as Superintending Engineer in his own pay and scale and not on acting charge basis.
2. Incorrect, hence denied the case of the petitioner was sent to the Provincial Selection Board (PSB) for appointment on acting charge basis against the resultant vacancies of Superintending Engineer (BS-19).
3. Incorrect, hence denied, in compliance with the Peshawar High Court Peshawar judgment dated 24.09.2018 in writ petition No.1742-P/2018, this Department submitted working paper to Establishment Department for consideration of PSB. The PSB in meeting dated 19.4.2019 decided the following:-

"The Board discussed the case in threadbare and did not consider the officer for proforma promotion as no vacancy was available at the time of his retirement" (Annex-II)

FILED/TODAY

Deputy Registrar

02 FEB 2022

ATTESTED
EXAMINER
Peshawar High Court

18

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- 4. Incorrect, hence denied Para-3 is reiterated that the show cause notice was properly replied and the Hon'ble Peshawar High Court; Peshawar decided the case vide its judgment dated 14.10.2020 in COC No. 927-P/2019 in Writ Petition No. 1742-P/2018 thus is hit by the Principle of res-judicata.
- 5. Correct.
- 6. Correct.

ON GROUNDS:

- A. Incorrect, in light of the judgment of the Hon'ble Peshawar High Court, Peshawar the case for proforma promotion of the petitioner was sent to Provincial Selection Board (PSB) and the PSB in its meeting dated 19.04.2019 did not consider the officer for proforma promotion as no vacancy was available at the time of his retirement.
- B. Incorrect, at the time of his retirement i.e. 16.10.2017 no vacancy was available and Engr: Haider Ali, XEN (BS-18), senior to him, is promoted to the post of Superintending Engineer (BS-19) on 09.05.2019 (Annex-III) thus the petitioner cannot be promoted earlier than his seniors.
- C. Incorrect, all promotions are made against the clear available vacancies.
- D. Incorrect, Engr: Noor Kamal and Engr: Nawab Ali Khan were promoted to the post of Superintending Engineer on 09.05.2019 and 04.10.2019 respectively.
- E. Incorrect, as explained in Para-C of the grounds above.
- F. No Comments, the Hon'ble Court can better interpret its judgment.

Any other grounds will be raised at the time of arguments with the prior permission of this tribunal.

It is therefore requested that the petition being devoid of merits may be dismissed with cost.

Secretary to Govt. of Khyber-Pakhtunkhwa
Irrigation Department.
(Respondent No. 2)

Chief Engineer (South)
Irrigation Department
(Respondent No. 3)

EXAMINED TO BE TRUE COPY

27 JUL 2022

EXAMINED TO BE TRUE COPY
Peshawar High Court
Authorized Under Section 27 of
the Peshawar High Court Act, 1901

FILED TODAY

Deputy Registrar

02 FEB 2022

18
22/06/2018
**COURT MATTER/
MOST IMMEDIATE**



TIME LIMIT CASE **OUT TODAY**
GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(LITIGATION SECTION)

No. SO(Lit-II)E&AD/2-469/2018
Dated: Peshawar, the 20.06.2018

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To
The Secretary to Govt. of Khyber Pakhtunkhwa,
Irrigation Department,
Peshawar.

Attention: Section Officer (Litigation)

Subject: - WRIT PETITION NO. 1742/2018 - ABDUL WALI KHAN VERSUS
GOVERNMENT.

Dear Sir,

I am directed to refer to your office letter No.SO(Lit):/3-63/2018 dated 06.06.2018 on the subject noted above and to return herewith Joint Parawise Comments (in original) duly signed by the Chief Secretary, Khyber Pakhtunkhwa for further necessary action at your end, please.

(Encl: As Above:)

Yours faithfully,

M. Aslam
(M. ASLAM) 20/6/2018

Section Officer (Litigation-I)

Endst: of Even No. & Date:

Copy forwarded to the:

1. P.S to Secretary, Establishment Department.
2. P.S to Special Secretary, Establishment Department.
3. P.S to Director Legal, Establishment Department.
4. P.A to Deputy Secretary (Judicial), Establishment Department.

Section Officer (Litigation-II)

No. 4723
Date 21/6/18
✓
✓

W 22/6
SO (Lit) / 6

[Signature]
25/6

GA

D-Drive S.O (Lit-II) Office Work (Letters for Returning SSA after Signature. .)

1. No comments.

2. No comments.

[Signature]

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Vi

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

WRIT PETITION NO. 1742/2018

Abdul Wali Khan..... (Petitioners)

VERSUS

Govt. of Khyber Pakhtunkhwa through Chief Secretary & others

(Respondents)

PARAWISE COMMENTS ON BEHALF OF OFFICIAL RESPONDENTS

Respectfully sheweth:-

Preliminary Objections:-

1. That the petitioner has got no cause of action.
2. That the petitioner cannot invoke the extraordinary jurisdiction of the Hon'able court.
3. That it is a matter of delegated legislation & cannot be challenged before the court of law.
4. That the August Hon'able court has no jurisdiction as barred by Article 212 of the Islamic Republic of Pakistan Constitution 1973.
5. That it is policy matter & as per apex court, decisions in such like matters, writ jurisdiction is not invocable.
6. That the writ petition is not maintainable in its present form and it suffers from legal lashes.

ON FACT:

1. Pertains to record, hence no comments.
2. Pertains to record, hence no comments.
3. Pertains to record, hence no comments.
4. Correct to the extent that the petitioner was posted as Superintending Engineer, Mardan Irrigation Circle, Mardan in his own pay scale.
5. Incorrect: The case of the petitioner was sent to the Provincial Selection Board for appointment on acting charge basis against the resultant vacancies of Superintending Engineers (BS-19).
6. The petitioner got retired from govt. service in BS-18 instead of BS-19 as there was no clear vacancy for promotion to the post of Superintending Engineer (BS-19).
7. No comments.
8. No comments.

Attended page

Attended page



Judgment Sheet
IN THE PESHAWAR HIGH COURT,
JUDICIAL DEPARTMENT

W.P.No.1742-P of 2018

JUDGMENT

Date of hearing 24.9.2018

Petitioner (s) (Abdul Wali Khan) by Mr. Abdul Latif Afridi, Advocate.

Respondent (s) (Government of KPK, through Chief Secretary, Peshawar and others) by Mr. Muhammad Rizaz Khan, AAG.

ABDUL SHAKOOR KHAN, J.- Through this writ petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, Abdul Wali Khan, the petitioner, has made a prayer that:

It is, therefore, prayed that refusal of respondents to consider petitioner for promotion to BPS-19 is malafide without lawful authority and of no legal effect thus this Hon'ble Court may kindly direct the respondents to consider the petitioner for promotion to BPS-19 w.e.f. 04.01.2017 with all back benefits.

2. Brief facts giving rise to the instant petition are that petitioner was originally appointed as Assistant Engineer on adhoc basis in BPS-17 in the Irrigation Department vide Notification No.SO(E)J&PHE/4-8/87 dated 27.9.1987. His

Abdul Wali Khan

④

ATTESTED
Peshawar High Court
27 SEP 2018

Attested

service alongwith other colleagues who were appointed as Assistant Engineer on adhoc basis was regularized on 23.5.1988. Subsequently in the year 2005 the respondent No.2 vide Notification No. SO (E)RR/4-4/71 dated 02.0-8.2005 promoted the petitioner in BPS-18 on acting charge basis. Thereafter vide Notification No. SO(E)/IRR/4-1/Vol dated 4th January, 2017 respondent No.2 transferred him in Mardan Irrigation Circle as Superintendent Engineer (BS-19) against the vacant post in his own pay and scale on temporary basis. The respondent department on 29.9.2017 sent a proposal of petitioner alongwith his 7 other colleagues to Provincial Selection Board for his promotion in BP'S-19. In the working papers petitioner was shown at S.No.5, however, he was not considered for promotion on the ground that he will stand retired from Government Service on 16.10.2017 attaining the age of superannuation, hence this petition.

3. This court vide order dated 02.5.2018 called the comments from respondents No.1 and 2. Accordingly they filed the comments, wherein amongst others, it was stated that the case was sent to the Provincial Selection Board for appointment on acting charge basis against the vacancy of Superintending Engineer but before his case would be considered by the Provincial Selection Board he stood retired from Government Service and furthermore there was no clear vacancy for

ATTESTED
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 Provincial High Court
 27 SEP 2018

(29)

promotion of the petitioner to the post of Superintending Engineer.

4. Learned counsel appearing on behalf of petitioner vehemently argued that when he was proposed for promotion in (BS-19) to Provincial Selection Board, then he had accrued the vested right to be considered for proforma promotion, notwithstanding the fact, he would be retired, on account of reaching on superannuation. During the course of arguments, learned counsel for the petitioner has drawn our attention to the working papers prepared for the promotion of petitioner and other Engineers to the post of Superintending Engineer (BS-19), which is available at page-11 of this petition and marked as Annexure-E, the same transpires that the number of vacancies were five and the name of petitioner was at serial No.5 on the panel of officers would be considered for promotion, and certificate to this effect of Secretary Irrigation Department appended with the working papers also clearly stipulates that the petitioner alongwith five others have already been appointed as Superintending Engineer (BS-19) on acting charge basis and working papers for promotion of five Superintending Engineer acting charge basis on regular basis is under process in Establishment Department. He, in this view of the matter of petitioner, argued that it was not proper and just that his name be dropped mere on attaining age of superannuation without the

Abdul
Wali Khan

BEK

Abdul
Wali Khan

ATTESTED
 Seal of the Court

27 SEP 2018

(23)

due consideration by the competent authority i.e. Provincial Selection Board. In view of the above, the learned counsel for the petitioner has requested for the acceptance of this petition so petitioner proforma promotion case be considered by the Provincial Selection Board.

5. On the other hand, learned AAG appearing on behalf of respondent fully supported the contention of the respondents which they agitated in their comments.

6. It is admitted fact on the record that the respondents department had prepared the working papers for promotion of petitioner in (BS-19) alongwith his other colleagues, but before his case be considered by the Provincial Selection Board for his promotion BPS-19 alongwith other colleagues, the respondents department has dropped his name from the list of those would be considered for promotion in (BPS-19), merely on account of his retirement on reaching superannuation. In our view petitioner has been deprived form his right to be considered for the promotion by the competent forum i.e. Provincial Selection Board. Now it is well settled that a retired employee would be eligible for proforma promotion provided he fulfilled the criteria laid down regarding the promotion in the relevant scale. We, therefore, direct the respondent to do the needful, at the earliest, for sending the cse of petitioner to Provincial Selection Board for its consideration for proforma promotion in (BS-19) on the

Abdul Wali Khan

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Abdul Wali Khan

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basis of record, which was prepared before his retirement for the consideration of Provincial Selection Board for his promotion in BPS-19.

The instant writ petition is disposed of in the above terms.

Announced.
Dated 24.9.2018

[Signature]
JUDGE
[Signature]
JUDGE

Abdul Aziz

(Should be) P.S. Hon'ble Mr. Justice Ishaq Durrani Khan and Hon'ble Mr. Justice Abdul Shakoor Khan

Abdul Aziz

IDENTIFIED TO BE TRUE COPY

Examiner
Peshawar High Court, Peshawar
Authorized Under Article 87 of
the Constitution of Pakistan

27 SEP 2018

No. 5453
Date of Presentation of Application 25/9/18
No of Pages 11
Copying Fee 54
Urgent Fee 27/9/18
Total 27/9/18
Date of 27/9/18
Date of 27/9/18
Recd. by [Signature]

Anexure

B

20 27

IN THE PESHAWAR HIGH COURT, PESHAWAR.



COC No 427-f /2019
IN
W.P No 1742-P/2018

Abdul wali Khan S/O Fateh Ul- Mulk R/O officer garden Street 4 House
no 1 Warsak Road Peshawar.....Petitioner

Versus

1. Dr Kazim Niaz Chief Secretary, Government of K P.K, Peshawar.
 2. Mr. Daud Khan Secretary Health, Government of KPK, Irrigation Department Civil Secretariat Peshawar.
 3. Chief Engineer Irrigation Department Warsak Road Peshawar.
- .Respondents.**

[Handwritten signature]

Application for Contempt of Court proceeding/implementation under Article 204 OF Islamic Republic OF Pakistan against the Respondents on account of non-compliance of the Judgment dated 24.9.2018 of this Honourable Court.

Respectfully Sheweth: -

The need for the instant Contempt of Court Application arises due to the following facts:

Facts:-

1. That the Petitioners filed Writ Petition No 1742-P/2018 before this Honourable Court which was admitted and allowed on 24.9.2018 with clear direction to the Respondent in para.6 of the Judgment for sending the case of the Petitioner to Provincial Selection Board for its consideration for proforma promotion to BPS 19 on the basis of record which was prepared before his retirement for the consideration of Provincial Selection Board for his promotion in BPS 19.
(The copy of Petition and Judgment dated 24.9 2018 is attached as Anexure-A).

ATTESTED

**EXAMINER,
Peshawar High Court**

2. That the Respondents during this time held the meeting of the Provincial Selection Board on 7.5.2018 - 12.5.2018

(28) (11)

considered the Petitioner for the proforma promotion on the pretext of non availability of the post .(The documents are attached as *Annexure B*) .

3. That the Respondents promoted the person junior to the Petitioner for which the post was available but did not bothered even to prepare a working paper for the meeting in the light of the Judgment and even granted a proforma promotion to another retired engineer to BPS 21 . (Copy is attached as *Annexure C*).

Being aggrieved that the Respondents are not obeying the Order of this Honourable Court hence this Contempt of Court Application is preferred on the following grounds:-

Grounds:-

- A. That under the Constitution and law the Respondents are bound to implement the Judgment of this Honourable Court and if not satisfied of the judgment, had an option to file civil Petition in the Supreme Court of Pakistan but the Respondents have not filed any Civil Petition in the Apex Court, hence the Judgment has got finality.
- B. That in the Judgment the Respondents were directed to do send the case of the Petitioner to PSC but the Respondents did not considered it with clear disregard to the Judgment of this Honourable Court.
- C. That by not implementing the order of this Honourable Court without any reason tantamount to the Contempt of this Honourable Court and is punishable and actionable under the relevant law.
- D. That this no reason that the vacancy is available. It is pertinent to mention that the court has considered the circumstances and then has allowed the Petition hence any pretext is against the Judgment

ATTESTED

EXAMINER
Peshawar High Court

Therefore, it is humbly prayed that the Respondents may be directed to Implement the judgment otherwise, Issued them a show cause notice

ccc927 2019 abdul wali Khan Vs Dr. Kazim Mazhar Usmani

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with initiation of Contempt proceeding against them in the best interest of justice.

[Signature]
Petitioner

Through

[Signature]
Nazir Ahmad, Advocate.
Peshawar High Court.
Peshawar.
Cell# 03018571879.

Certificate

The Petitioners have filed Writ Petition no 1742-P/2018 but the order of this Honourable Court is not yet implemented hence filed this Contempt of Court Application.

[Signature]
Petitioner

[Signature]

Affidavit

I Abdul wali Khan S/O Fateh Ul- Mulk R/O officer garden Street 4 House no 1 Warsak Road Peshawar the Petitioner do hereby affirm and declare on oath that contents of this Application are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Honorable Court.

[Signature]

[Signature]
ATTESTED
EXAMINER
Peshawar High Court
Deponent

CNIC# 17301-1598572-3

Cell# 03339132101

No. 17277
Certified that the above was verified on solemnly affirmation before me in office, this 21 day of Dec. Ab. Wali Khan. s/o. Fateh ul Mulk Peshawar. SELF

coc927 2019 abdul wali Khan vs Nazir Ahmad Full USB 36 PG



GOVERNMENT OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT

No. SO(E)/Irr./3-63/2018
Dated Peshawar the 21st January, 2019

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Establishment Department

Subject:

**PROMOTION OF EX-EXECUTIVE ENGINEER BS-18 MR. ABDUL
WALI KHAN TO THE POST OF SUPERINTENDING ENGINEER BS-
19 ON ACTING CHARGE BASIS.**

Dear Sir,

I am directed to refer to the subject cited above and to state that a working paper in respect of Engr. Abdul Wali Khan for promotion to the post of Superintending Engineer (BS-19) on acting charge basis against resultant vacancy has been prepared and sent to Establishment Department on 29.09.2018 for placement before PSB for consideration. (copy enclosed).

The Establishment Department returned the case on 01.11.2017 with the observation that working papers for appointment of Executive Engineer BS-18 to the post of Superintending Engineer BS-19 may be forwarded after finalization of another working paper for filing 05 posts on regular basis as the Board does not consider two working papers in one meeting for promotion of officers in a single cadre. (Copy enclosed).

As per the minutes of PSB a working paper of the official concerned has not been considered due to his retirement. The meeting of PSB was held on 08.11.2017 while date of retirement of the official was 06.10.2017.

Aggrieved to this, Engr. Abdul Wali Khan filed a writ petition No. 1742/2018 in Peshawar High Court Peshawar and Peshawar High Court Peshawar vide its judgment dated 24.09.2018 has ordered the respondent "to do the needful, at the earliest, for sending the case of petitioner to Provincial Selection Board for its consideration for proforma promotion in (BS-19) on the basis of record, which was prepared before his retirement for the consideration of Provincial Selection Board for his promotion in BPS-19" (copy enclosed).

Consequent to the above decision of Peshawar High Court Peshawar, this Department has filed CPLA before Supreme Court of Pakistan on 19.11.2018 on the recommendation of Scrutiny Committee of the Law Department. (copy enclosed).

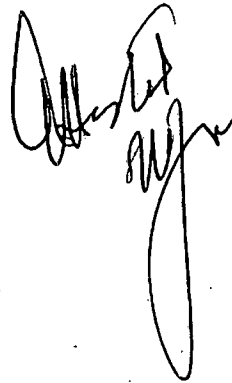
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Keeping in view of the above, working paper in respect of the above named officer is once again submitted herewith for placement before PSB for consideration.

Yours faithfully,

Section Officer (Estt:)

Encl: as above



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**IMMEDIATE
CONFIDENTIAL**



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

NO. SO(PSB)ED/1-12/2019/P-53
Dated Peshawar, the 07.05.2019

Ps/ Secy Irrigation
Diary No: 3884
Date: 8-5-19

8-5-19

To
The Secretary to Govt. of Khyber Pakhtunkhwa,
Irrigation Department.

SUBJECT: - MINUTES OF THE MEETING OF PROVINCIAL SELECTION BOARD
HELD ON 19.04.2019

APPOINTMENT OF EX-EXECUTIVE ENGINEER BS-18 MR. ABDUL
WALI KHAN TO THE POST OF SUPERINTENDING ENGINEER BS-19
ON ACTING CHARGE BASIS.

Dear Sir,

I am directed to refer to Irrigation Department letter No. SO(E)/Irr./4-3/DPC/PSB/Vol-VII dated 20.03.2019 on the subject and to forward herewith, an extract of item No (29) of the minutes of the meeting of Provincial Selection Board held on 19.04.2019 for further necessary action.

Yours faithfully,

(Signature)
(Abdul Hameed)
SECTION OFFICER (PSB)

Encl: As Above

(Signature)

n/a

Retain photocopies
various files and
send a copy to SE
for n/a please

(Signature)
Secretary Irrigation
AS

(Signature)
28/05
S (E)

(Signature)
2.15

(Signature)
9/5

7

(Signature)

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ITEM NO (29)

(Meeting of PSB held on 19.04.2019)

SUBJECT: - PROFORMA PROMOTION OF MR. ABDUL WALI KHAN, EXECUTIVE ENGINEER BS-18 TO THE POST OF SUPERINTENDING ENGINEER BS-19 ON ACTING CHARGE BASIS IN PURSUANCE OF PESHAWAR HIGH COURT PESHAWAR JUDGMENT DATED 24.09.2018

The Secretary Irrigation apprised the Board that the Irrigation Department forwarded a Working Paper on 29.09.2017 for consideration of appointment of officers as Superintending Engineer (BS-19) on acting charge basis before holding of PSB meeting on 08.11.2017, wherein Mr. Abdul Wali Khan was appearing at S.No.5 of the panel. In the said working paper, vacant posts were reflected as a working paper for promotion of 05-Executive Engineers to the post of Superintending Engineer against the regular vacancies had already been forwarded for placing before the PSB. In the panel, four (04) Executive Engineers were working as Superintending Engineer on acting charge basis, performing their duties against the Ex-cadre / project post. In addition, one other project post namely "Advisor (BS-19)" is lying vacant in remodeling of Warsak Canal System Project. After promotion of above acting charge officers on regular basis, the resultant vacancies would become five (05), which can be filled on acting charge basis. The Establishment Department returned the working paper with the observation that appointment on acting charge basis / regular promotion cannot be made against the project / Ex-cadre post.

2. Mr. Abdul Wali Khan retired on 16.10.2018, filed a Writ Petition in Peshawar High Court and the Court in its judgment dated 24.09.2018 directed for consideration of his promotion to BS-19. The Department, on the advice of Law Department, has filed a CPLA in the Supreme Court of Pakistan and the case has not yet been fixed for hearing.

3. The Board observed that in terms of rule-09 of Appointment, Promotion and Transfer Rules, 1989, acting charge appointment could only be made against a clear vacancy of the cadre to which promotion is made.

4. The Board discussed the case in threadbare and did not consider the officer for proforma promotion as no vacancy was available at the time of his retirement.

CONFIDENTIAL

Attested
Secretary (PSB)
Govt. of Khyber Pakhtunkhwa
Establishment Department

Attested
Mjz

Attested
Mjz

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PSB-1

WORKING PAPER FOR PROVINCIAL SELECTION BOARD

IRRIGATION DEPARTMENT KHYBER PAKHTUNKHWA

nt
 nomenclature of the post Superintending Engineer (BS-19)
 Irrigation Department.
 Service Cadre Provincial Engineering.
 Sanctioned Strength of regular cadre 11

	Direct	Promotion	Transfer
Percentage of share	00	100%	
No. of posts allocated to each category	00	11	
i) Present Occupancy position	00	06	
v) No. of vacancies in each category	00	05	

v) How did the vacancy (ies) under Promotion quota accrue and since

A case/working paper for promotion of 05 XENs (BS-18) to the post of Superintending Engineers (BS-19) against the above regular vacancies has already been forwarded to Establishment Department for placing it before Provincial Selection Board (Annex-I). In the above panel (04) XENs, Engrs: Niaz Sarwar, Atta-ur-Rehman, Sheikh Muhammad Jalil and Malik Mazhar are already appointed as Superintending Engineers (BS-19) on acting charge basis and presently performing their duties against the Ex-Cadre/Project Posts. In addition to that there is another project post namely Advisor (BS-19) is lying vacant in Remodeling of Warsak Canals System Project. After promotion of above Acting Charge Superintending Engineers on regular side, the resultant vacancies would become 05 which are required to be filled in by appointment on acting charge basis under Rule 9 (4) of the (Appointment, Promotion & Transfer) Rules, 1989.

Attested by

vi) Recruitment Rules

By promotion, on the basis of seniority-cum-fitness, from amongst the Executive Engineers/Deputy Directors with at least twelve years service in BPS-17 and above (Annex-II)

vii) Required length of Service

12 years

viii) Whether to be promoted on Regular basis or appointed on Acting charge basis.

04 (On Acting Charge Basis)

ix) Mandatory training, if any

Nil

x) Minimum required score on EI

60

Attested by

Attested by

Designation: Secretary to Govt. of Khyber Pakhtunkhwa
Irrigation Department
Peshawar

Dated: 28 Sept 2017

PANEL PROFORMA FOR
PROVINCIAL SELECTION BOARD

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In respect of Engr. Abdul Wali Khan

Personal No: 00079989

Domicile: Swat	Service/Group = Engineering (Irrigation)	Sen. No. 11
Educational Qualification B.E. (Civil)	Date of Birth 7-10-1957	Date of Superannuation 6-10-2017

Date of Joining Service	Date of Promotion in Present Scale	Length of Service				Eligibility for consideration
		Total		In present Scale		
		Y	M	Y	M	
23-1-1988	2-8-2005	29	8	12	01	

Important Appointments held in the present Rank/Post

1	XEN Hydrology Irrigation Division Peshawar.		
2	XEN Mechanical Irrigation Division Pesh:		
3	Assistant Director (Design) o/o Chief Engr.		
4	Deputy Director, Rehabilitation for Irrigation System Peshawar.		
5	Superintending Engineer, Irrigation Circle, Mardan (OPS).		
6			

Penalties: Nil

Training courses (other than mandatory training)

- Computer Elementary Training.
- Modernization of Irrigation System in Sindh

Pay Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/Remarks in
BPS-17		5	11	1		
BPS-18		10	2			

Awaited Reports (PERs)	Additional Information (if any)
NIL	NIL

EFFICIENCY INDEX

Required Threshold	Score of PERs + Training Reports	Marks awarded by PSB	Total
60	54.09		

RECOMMENDATIONS OF PSB

Promoted	Deferred	Superseced

Abdul Wali Khan

[Signature]
Prepared by

[Signature]
Checked by

Abdul Wali Khan

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GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT



CA/C.S Khyber Pakhtunkhwa
No: 1986
Date: 29-4-19

SUMMARY FOR CHIEF MINISTER KHYBER PAKHTUNKHWA

Subject: - APPROVAL OF RECOMMENDATIONS OF PROVINCIAL SELECTION BOARD ON PROMOTIONS.

The Provincial Selection Board met on 19.04.2019 at 0930 hours and considered promotion cases of civil servants of BS-17 and above. The PSB cleared and recommended cases of employees of Establishment, C&W, Food, Local Government, Home, PHE, Zakat, E&SE, Finance, Population Welfare, Irrigation, Minerals Development, Environment, Agriculture, Higher Education, Health & P&D Departments. Approved minutes are added as Flag "X"

2. The Chief Minister, Khyber Pakhtunkhwa being competent authority, may kindly approve recommendations of the PSB as detailed in its minutes placed below.

[Signature]
(SYED JAMAL UD DIN SHAH)
Secretary Establishment
26.4.2019

Office of the PSCM
Diary No. 972
Dated 30-4-19

CHIEF SECRETARY,
KHYBER PAKHTUNKHWA

Endorsed

Here
[Signature]
Approved.

[Signature]
29/4
CHIEF SECRETARY
Govt. of Khyber Pakhtunkhwa

Office of the PSCM
Diary No. 981
Dated 26-04-19

[Signature]
5-5-2019
Chief Minister
Khyber Pakhtunkhwa

[Signature]

PANEL PROFORMA FOR
PROVINCIAL SELECTION BOARD

PSB-1

6 38

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In respect of Engr. Abdul Wali Khan

Personal No. 00079989

Domicile: Swat		Service/Group = Engineering (Irrigation)		Sen: No. 11		
Educational Qualification		Date of Birth		Date of Superannuation		
B.E. (Civil)		7-10-1957		6-10-2017		
SERVICE PARTICULARS.						
Date of Joining Service	Date of Promotion in Present Scale		Length of Service Total		Eligibility for consideration	
			In present Scale			
			Y	M	Y	
			Y	M		
23-1-1988	2-8-2005		29	8	12 01	
Important Appointments held in the present Rank/Post						
1.	XEN Hydrology Irrigation Division Peshawar.					
2.	XEN Mechanical Irrigation Division Pesh:					
3.	Assistant Director (Design) o/o Chief Engr.					
4.	Deputy Director, Rehabilitation for Irrigation System					
5.	Peshawar.					
6.	Superintending Engineer, Irrigation Circle, Mardan (OPS).					
Penalties: Nil						
Training courses (other than mandatory training)						
- Computer Elementary Training.						
- Modernization of Irrigation System in Sindh						
Basic Pay Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/Remarks In
BPS-17		5	11	1		
BPS-18		10	2			

Awaited Reports (PERs)		Additional Information (if any)	
NIL		NIL	
EFFICIENCY INDEX			
Required Threshold	Score of PERs + Training Reports	Marks awarded by PSB	Total
60	54.09		
RECOMMENDATIONS OF PSB			
Promoted	Deferred	Superseded	

Atiqul
Uzja

Uzja
Prepared by

Atiqul Uzja

Uzja
Checked by

39 Amman

**PESHAWAR HIGH COURT PESHAWAR
ORDER SHEET**



Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or that parties or counsel where necessary
14.10.2020.	<p>COC No. 927-P/2019 in WP No. 1742-P/2018.</p> <p>Present: Mr. Nazir Ahmad, advocate for the petitioner.</p> <p>Mr. Muhammad Riaz, Addl. AG on behalf of respondents.</p> <p>*****</p> <p>WAQAR AHMAD SETH, CJ:- Through this contempt petition, petitioner seeks initiation of contempt of court proceedings against respondents- contemnor for flouting the judgment of this Court dated 24.09.2018, rendered by this Court in writ petition bearing No. 1742-P of 2018, whereby this Court while disposing of the case of petitioner, sent the same to respondents-department with the direction to consider the case of petitioner for proforma promotion in BS-19 on the basis of record, which was prepared before his retirement for the consideration of Provincial Selection Board for his promotion in BS-19.</p> <p>2. Today at the very outset, learned Addl.</p>

Attested
Nazir

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Peshawar High Court

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AG while referring to the reply to show cause notice apprises the Court that judgment of this Court has been implemented in letter and spirit, as the case of petitioner for proforma promotion in BS-19, in pursuance of the judgment of this Court, placed before PSB, but did not consider him for proforma promotion as no vacancy was available at the time of his retirement, requested for summarily disposal of the contempt petition. Learned counsel for the petitioner when confronted though controverted but could not make out a case, arguably, in view of which this contempt petition has served its purpose, disposed of as such. Show cause notice issued to respondents is hereby recalled. Petitioner if still aggrieved may impugn the decision of PSB dated 19.4.2019, before the competent Court of law, if so advised.

No. 13966
 Date of Presentation of Application 22/10/2020
 No of Pages 5
 Copying fee 5
 Total 5
 Date of Preparation of Copy 22/10/2020
 Date of Delivery of Copy 22/10/2020
 Received By [Signature]

[Signature]
 Chief Justice

[Signature]
 Judge

[Signature]

Tariq Jao PS.

DR, Mr. Justice Waqar Ahmad Seth, Chief Justice & Mr. Justice Muhammad Nadeem Mahjoor, JJ.

[Signature]
 EXAMINED TO BE TRUE COPY

Examiner
 Peshawar High Court, Peshawar
 Authorized Under Article 67 of
 the Constitution of Pakistan Order 1980

22 OCT 2020

IN THE PESHAWAR HIGH COURT, PESHAWAR.

W.P No....4875/2020

Abdul wali Khan S/O Fateh- Ul- Mulk R/O officer garden Street 4 House
No 1 Warsak Road Peshawar.....Petitioner

Versus

1. Government of Khyberpakhtunkhwa, through Chief Secretary, Peshawar.
2. Secretary to irrigation, Government of Khyberpakhtunkhwa, Irrigation Department Civil Secretariat Peshawar.
3. Chief Engineer, Irrigation Department Warsak Road, Peshawar.

Respondents.

Writ Petition under Article 199 of the Constitution of Islamic Republic Of Pakistan, 1973

Prayer:

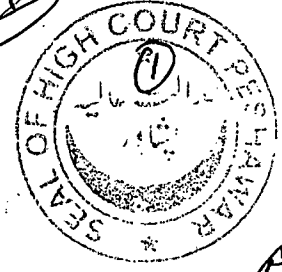
On acceptance of this Writ Petition the Respondents be directed to place the case of the Petitioner before the Provincial Selection Board for proforma promotion and grant him such promotion as it is his right been eligible at the time of retirement for such promotion.

Respectfully Sheweth: -

The need for the instant Constitutional Writ Petition arises due to the following facts:

Facts:-

1. That the Petitioner was appointed as Assistant Engineer BPS-17 in the Respondent Department on adhoc through notification dated 27.9.1978, regularized on 23.05.1988 , was promoted to BPS 18 and was vide Notification No So/(E)/IRR/4-1/71/Vol dated 4th January 2017 transferred



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EXAMINED
Peshawar High Court

Circle as Superintendent Engineer on acting charge basis. The Petitioner acted as Superintendent Engineer till his retirement i.e. 6.10.2017.

2. That the Respondent Department along with others sent the proposal of the Petitioner with working paper for promotion of BPS- 19 on 29.9.2017 to Selection Board in which the Petitioner was placed at serial no-5 with 5 vacancies. The Provincial Selection Board was not convened in time and the Petitioner stand retired during this time so not placed before the Selection Board and was dropped.....(The copy of Working Paper is attached as Annexure A).
3. That being aggrieved the Petitioner filed Writ Petition No 1742-P/2018 before this Honourable Court and the Respondents filed parawise Comments and after arguments, the Petition of the Petitioner was admitted and allowed on 24.9.2018 with clear direction to the Respondent in para 6 of the Judgment for sending the case of the Petitioner to Provincial Selection Board for its consideration for proforma promotion to BPS- 19 on the basis of record which was prepared before his retirement for the consideration of Provincial Selection Board for his promotion in BPS 19.
(The copy of Petition, parawise comments and Judgment dated 24.9 2018 is attached as Annexure-B).
4. That the Respondents were not obeying the judgment of the court hence the Petitioner filed Contempt of Court Petition before the Honourable Court against the Respondents and the court issued show cause to them.....(Copy of the COC-N0-927-P/2019 is attached as Annexure C).
5. That the Respondents after the judgment held the meeting of the Provincial Selection Board on 19.4 2019 but did not considered the Petitioner for the proforma promotion on the ground that there was no vacancy at the time of retirement of the Petitioner.....(The documents are attached as Annexure D) .
6. That the Court while disposing the COC of the Petitioner ordered that the judgment of the Court has been implemented in letter and spirit as we have ordered the Respondents to consider the Petitioner for proforma promotion and the Respondents had

ATTESTED
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Peshawar High Court

③ 42

placed it before the PSB and has considered it and disposed of the Contempt Petition on 14.10.2020 with a right to impugn the order of the Respondents dated 19.4.2029....(Copy of the order of the Court dated 14.10.2020 is attached as Annexure E)

Being aggrieved and with no adequate alternate remedy available hence this Constitutional Writ Petition is preferred inter-alia on the following grounds:-

Grounds:-

- A. That while allowing the Writ Petition of the Petitioner the Honourable Court in its judgment laid down that it is well settled that a retired employee would be eligible for proforma promotion provided he fulfilled the criteria. The Petitioner fulfilled the criteria and was thus eligible for proforma promotion and non-granting him the proforma promotion is not a consideration in real sense which is to be meaningful and purpose full and the impugned order dated 19.4.2029 is not a consideration but a denial and wrong conclusion, therefore, is without jurisdiction and lawful Authority.
- B. That the non convening of the Provincial Selection Board was not the fault of the Petitioner but due to pathetic and lethargic attitude of the Respondent the PSB was not convened when the Petitioner was in service consequent thereof the Petitioner suffered and it is well settled that no one shall suffer due an act of state functionaries.
- C. That in proforma promotion it is not mandatory that the post must be lying vacant but it is a remedial act to benefit a civil servant if he does not suffer due to fault of his own.
- D. That the Respondents even after the retirement of the Petitioner promoted his junior and for them there was no problem of the vacancy... (Copy is attached as Annexure F).
- E. That for proforma promotion a vacancy is not a hurdle as it benefits the Petitioner only in pension and it does not infringe or effects the right of anyone else or his seniority.

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F. That the Respondents are wrong to argue that the Court has ordered for consideration and we while placing it before the PSB and rejecting it on the ground of vacancy have considered it.

[Signature]
Petitioner

Through

29/10/20
Nazir Ahmad, Advocate.
Peshawar High Court.
Peshawar.
Cell# 03018571879.

Certificate

The Petitioner filed Writ Petition no 1742-P/2018 which was allowed and then filed a COC No 927-P which is disposed but the court allowed the Petitioner to file a writ petition if feel aggrieved.

[Signature]
Petitioner

Affidavit

I Abdul wali Khan S/O Fateh Ul- Mulik R/O officer garden Street 4 House no 1 Warsak Road Peshawar the Petitioner do hereby affirm and declare on oath that contents of this Writ Petition is true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Honorable Court.

Identified by

Nazir

11632	29/10/2020
Oct 2020	29/10/2020
Fateh ul Mulik	Nazir Ahmad
Officer	

29/10/2020

[Signature]
Deponent

ENIC# 17301-1598572-3 ✓
Cell# 0333-9132101

ATTESTED
EXAMINED
Peshawar High Court

IN THE PESHAWAR HIGH COURT, PESHAWAR.

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W.P No..... /2020

Addresses of the Parties

Petitioner

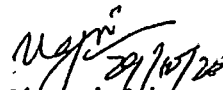
Abdul wali Khan S/O Fateh- Ul- Mulk R/O officer garden Street 4 House
No 1 Warsak Road Peshawar

Respondents

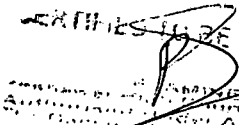
1. Government of Khyberpakhtunkhwa, through Chief Secretary, Peshawar.
2. Secretary irrigation, Government of Khyberpakhtunkhwa, Irrigation Department Civil Secretariat Peshawar.
3. Chief Engineer Irrigation Department Warsak Road, Peshawar.


Petitioner

Through


Nazir Ahmad. Advocate:
High Court.

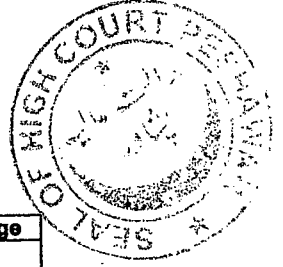
Cell# 03018571879.


CERTIFIED TO BE TRUE COPY
JUDGE
PESHAWAR
05 JUL 2022

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PESHAWAR HIGH COURT, PESHAWAR.

FORM 'A'
FORM OF ORDER SHEET



Date of order.	Order or other proceedings with the order of the Judge
30.06.2022	<p data-bbox="635 614 884 647"><u>W.P.No.4815-P of 2020.</u></p> <p data-bbox="635 665 1203 698">Present: Mr.Nazir Ahmad, advocate for the petitioner.</p> <p data-bbox="756 715 1091 774">Mr.Rab Nawaz Khan, AAG for the respondents.</p> <p data-bbox="692 817 1219 1003"><u>LAL JAN KHATTAK, J.-</u> Petitioner has prayed to this court for issuance of an appropriate writ directing the respondents to place his case before the Provincial Selection Board for proforma promotion.</p> <p data-bbox="644 1021 1219 1844">2. It is the petitioner's case that initially he was appointed as Assistant Engineer (BPS-17) on adhoc basis in the respondent-department and after serving for some time was promoted to BPS-18 and posted as Superintending Engineer at Mardan Irrigation Circle on acting charge basis vide Notification dated 04.01.2017. According to the petitioner, during his such posting, alongwith others, his case for promotion to BPS-19 was sent to Provincial Selection Board (the Board) and in the relevant list he was placed at Sr.No.5 but meeting of the Board was not convened in time and soon thereafter he stood retired from service. Feeling aggrieved, he filed writ petition bearing No.1742-P of 2018 before this court which was allowed on 24.09.2018 with certain directions to the respondents. According to the petitioner, the respondents were not complying with the aforesaid order,</p>

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ATTESTED
EXAMINER
Peshawar High Court

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therefore, he filed COC bearing No.927-P of 2019. During pendency of contempt petition, the respondents convened meeting of the Board wherein plea of the petitioner for the desired proforma promotion was not considered on the ground that at the time of his retirement there was no vacancy available, hence this petition.

3. On 26.11.2020, comments were called for from the respondents which have been received wherein issuance of the desired writ has been opposed.

4. Arguments heard and record gone through.

5. In the instant case, petitioner has sought proforma promotion as during service his case for regular promotion to BPS-19 was placed before the Selection Board but meeting of the Board was not convened at the relevant time and soon thereafter he stood retired from service. In their parawise comments, the respondents have stated that in pursuance of the judgment of this court in the referred matter case of the petitioner for proforma promotion was sent to the Board but it did not consider him for the same as at the relevant time no vacancy was available. As not only due to non-availability of vacancy plea of the petitioner for the desired promotion was turned down but noticeable aspect of the case is that the issue of proforma promotion came up before the Hon'ble Supreme Court of Pakistan in the case of **Chief Secretary, Government of the Punjab, Lahore etc Vs. Ms. Shamim Usman (Civil Petition No.1097-L of 2020)** wherein it was held as under:-

Gyan

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Peshawar High Court

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"In the instant case, the order under challenge before the High Court pertained to the eligibility of the petitioner to be even considered for proforma promotion due to the seniority of a large number of officers awaiting promotion before her and in no manner determined the "fitness" of the respondent. High Court as a constitutional court should always be mindful of the jurisdictional exclusion contained under Article 212 of the Constitution. Any transgression of this constitutional limitation will render the order of the High Court void and illegal. Therefore, unless of the jurisdiction of the Tribunal is ousted under section 4(1)(b) of the Act, as described above, assumption of jurisdiction by the High Court in respect of matters of terms and conditions of a civil servant is unconstitutional and impermissible. Even the direction passed in the earlier constitutional petition, in this case, was impermissible under the Constitution".

6. Thus, while respectfully following the dicta laid down by the Hon'ble apex court in the referred judgment, we have no doubt in our mind to hold that case of the petitioner for proforma promotion is hit by the bar contained in Article 212 of the Constitution of Islamic Republic of Pakistan, 1973 and as such same falls within the exclusive jurisdiction of Service Tribunal.

7. For what has been discussed above, the petition in hand is dismissed for its not being maintainable before this court.

[Signature]
JUDGE
[Signature]
JUDGE

Sadiq Shah, CS (DB) (Hon'ble Mr. Justice Latif Jan Khattak & Hon'ble Mr. Justice Mohammad Ibrahim Khan)

43764
Date of Presentation of Application 5-7-22
No. of Pages 19
Filing Fee 4.00
Date of Preparation of Copy 5-7-22
Date of Delivery of copy 5-7-22
Received By *[Signature]*

ENTRUSTED TO
[Signature]
05

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

WRIT PETITION NO. 4875/2020

Abdul Wali Khan..... (Petitioners)

VERSUS

Govt. of Khyber Pakhtunkhwa through Chief Secretary & others
(Respondents)

PARAWISE COMMENTS ON BEHALF OF OFFICIAL RESPONDENTS

Respectfully sheweth: -

Preliminary Objections: -

1. That the petitioner has got no cause of action.
2. That the petitioner cannot invoke the extraordinary jurisdiction of the Hon'ble court.
3. The petitioner is estopped by his own conduct to file the instant writ petition.
4. That it is a matter of delegated legislation & cannot be challenged before the court of law.
5. That the petitioner is not an aggrieved person under article 199 of Constitution of Islamic Republic of Pakistan.
6. That the August Hon'ble court has no jurisdiction as barred by Article 212 of the Islamic Republic of Pakistan Constitution 1973.
7. That it is policy matter & as per apex court, decisions in such like matters, writ jurisdiction is not invocable due to its implied bar.
8. That the writ petition is not maintainable in its present form and it suffers from legal laches.
9. The case has already been decided by the Hon'ble Peshawar High Court, Peshawar vide its judgment dated 14.10.2020 in COC No. 927-P/2019 in Writ Petition No. 1742-P/2018 (Annex-I). Thus is hit by the principle of res-judicata.

ON FACT:

1. Incorrect, hence denied the petitioner was appointed on 27.09.1987 on adhoc basis instead of 27.09.1978 and was posted as Superintending Engineer in his own pay and scale and not on acting charge basis.
2. Incorrect, hence denied the case of the petitioner was sent to the Provincial Selection Board (PSB) for appointment on acting charge basis against the resultant vacancies of Superintending Engineer (BS-19).
3. Incorrect, hence denied, in compliance with the Peshawar High Court Peshawar judgment dated 24.09.2018 in writ petition No.1742-P/2018, this Department submitted working paper to Establishment Department for consideration of PSB. The PSB in meeting dated 19.4.2019 decided the following: -
"The Board discussed the case in threadbare and did not consider the officer for proforma promotion as no vacancy was available at the time of his retirement". (Annex-II)

FILED TODAY

Deputy Registrar

02 FEB 2022

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EXAMINER
Peshawar High Court

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(2)

- 4. Incorrect, hence denied Para-3 is reiterated that the show cause notice was properly replied and the Hon'ble Peshawar High Court; Peshawar decided the case vide its judgment dated 14.10.2020 in COC No. 927-P/2019, in Writ Petition No. 1742-P/2018 thus is hit by the Principle of res-judicata.
- 5. Correct.
- 6. Correct.

ON GROUNDS:

- A. Incorrect, in light of the judgment of the Hon'ble Peshawar High Court, Peshawar the case for proforma promotion of the petitioner was sent to Provincial Selection Board (PSB) and the PSB in its meeting dated 19.04.2019 did not consider the officer for proforma promotion as no vacancy was available at the time of his retirement.
- B. Incorrect, at the time of his retirement i.e. 16.10.2017 no vacancy was available and Engr: Haider Ali, XEN (BS-18), senior to him, is promoted to the post of Superintending Engineer (BS-19) on 09.05.2019 (Annex-III) thus the petitioner cannot be promoted earlier than his seniors.
- C. Incorrect, all promotions are made against the clear available vacancies.
- D. Incorrect, Engr: Noor Kamal and Engr: Nawab Ali Khan were promoted to the post of Superintending Engineer on 09.05.2019 and 04.10.2019 respectively.
- E. Incorrect, as explained in Para-C of the grounds above.
- F. No Comments, the Hon'ble Court can better interpret its judgment.

Any other grounds will be raised at the time of arguments with the prior permission of this tribunal.

It is therefore requested that the petition being devoid of merits may be dismissed with cost.

Secretary to Govt. of Khyber Pakhtunkhwa
Irrigation Department.
(Respondent No. 2)

Chief Engineer (South)
Irrigation Department
(Respondent No. 3)

FILED TODAY
Deputy Registrar
02 FEB 2022

CERTIFIED TO BE TRUE COPY
EXAMINER
Peshawar High Court
05 JUL 2022

PSB-1

WORKING PAPER FOR PROVINCIAL SELECTION BOARD

Department

IRRIGATION DEPARTMENT KHYBER PAKHTUNKHWA

1. Nomenclature of the post Superintending Engineer (BS-19)
Irrigation Department.
2. Service Cadre Provincial Engineering
3. Sanctioned Strength of regular cadre 10

	Direct	Promotion	Transfer
(i) Percentage of share	00	100%	-
(ii) No. of posts allocated to each category	00	10	-
(iii) Present Occupancy position	00	10	-
(iv) No. of vacancies in each category	00	00	

(v) How did the vacancy (ies) under Promotion quota accrue and since

(02) posts of Superintending Engineers (BS-19) are lying vacant due to posting of Engrs: Niaz Sarwar and Atta-ur-Rehman against Ex-cadre/Project posts in the Remodelling of Warsak Canals System Project, Peshawar and Pehur High Level Canal Extension Project, District Swabi (Annex- I, II) which are required to be filled in by appointment on acting charge basis under Rule 9 (4) of the (Appointment, Promotion & Transfer) Rules, 1989.

(vi) Recruitment Rules

By promotion, on the basis of seniority-cum-fitness, from amongst the Executive Engineers/Deputy Directors with at least twelve years service in BPS-17 and above (Annex-III)

(vii) Required length of Service

12 years

(viii) Whether to be promoted on Regular basis or appointed on Acting charge basis.

02 (On Acting Charge Basis)

(ix) Mandatory training, if any

Nil

(x) Minimum required score on EI

60

Signature

Designation: Secretary to Govt. of Khyber Pakhtunkhwa
Irrigation Department
Peshawar

Dated

5/4/2019

15
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PANEL OF OFFICERS FOR CONSIDERATION

PSB-II

S.#	Seniority No.	Name of Officer with qualification	Date of Birth	Date of 1 st entry into Govt. Service	Date of Appointment / Promotion to GS-17	Date of regular appointment / promotion to the present scale	Whether fulfill the prescribed length of service	Quantified scores	Missing PERs (if any)	Disciplinary proceeding (if any).	Case (if any) in any court of law including NAB/plea bargaining with NAB	Mandatory training for promotion	Research Papers	Present posting	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
1	7	Engr: Haider Ali, B.E (Civil)	01.04.1961	26.04.1988	26.04.1988	21.06.2003	Yes		1.1.2003 to 13.7.2003, 1.1.2013 to 1.8.2013, 1.1.2015 to 31.12.2015 & 1.1.2016 to 4.8.2016	NII	NII	NII	NII	Superintending Engineer (H/Q) North Irrigation.	Working as S.E in his own pay scale.
2	8	Engr: Muhammad Rafiq, B.E (Civil)	01.01.1958	26.04.1988	30.04.1988	21.06.2003	Yes	50.00	NII	NII	Involved in VR case with NAB	NII	NII	Superintending Engineer, Irrigation Circle, Swabl.	Working as S.E in his own pay scale.
	9	Engr: Aamer Iqbal, B.E (Civil)	20.10.1962	26.04.1988	30.04.1988	21.06.2003	Yes	52.47	1.1.2010 to 15.7.2010	NII	NII	NII	NII	Director, Small Dams, Peshawar	Working as S.E in his own pay scale.
	10	Engr: Muhammad Shoab, B.E (Civil)	30.04.1958	26.04.1988	30.04.1988	02.08.2005	Yes	52.4	NII	NII	NII	NII	NII	Superintending Engineer, Irrigation Circle, Bannu.	Working as S.E in his own pay scale.

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WP487SP2020 ABDUL WALI KHAN VS GOVT CF PG72.pdf

11	5	Engr Abdul Wali Khan, B.E (Civl)	07.10.1957	23.01.1988	23.01.1988	02.08.2005	Yes	54.09	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Superintdng Engnr, own scale. Working as
12	6	Engr: Mustim Khan, B.E (Civl)	02.03.1958	23.01.1988	23.01.1988	02.08.2005	Yes	23.8	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Executive Engnr, Hydrology Division, Peshawar Working as XEN (S-18)
13	7	Engr: Qabil Shah, B.E (Civl)	01.04.1958	23.01.1988	23.01.1988	02.08.2005	Yes	53.30	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Deputy Director, Rehabilitation of Irrigation System Project, Peshawar Working as XEN (S-18)
14	8	Engr: Noor Kamal, B.E (Mech)	10.09.1959	23.01.1988	23.01.1988	02.08.2005	Yes	25.04	01.01.2007 to 31.03.2007	01.01.2008 to 31.12.2008	01.01.2009 to 31.12.2016						

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Certified that:-

1. The officers included in the panel are eligible in all respects and have the requisite length of service as prescribed under the rules.
2. No disciplinary action/proceeding in any court of law are pending against the officers included in the panel except the officer at Sr. No. 2 who is involved in VR case with NAB Authorities which is under trial in the court.
3. The officers at Sr. No. 1 to 6 of the seniority list have already been appointed as Superintending Engineers (BS-19) on acting charge basis and working paper for promotion of 05 Superintending Engineers (BS-19), Acting Charge to the post of Superintending Engineers (BS-19) on regular basis is under process in Establishment Department.
4. The officer at Sr.No. 5 of the panel shall stand retired from govt. service on 06.10.2017 on attaining the age of superannuation (Annex-IV).
5. The Final/un-disputed seniority list of Executive Engineers (BS-18) as stood on 31.03.2017 is at PSB-V.
6. The officers included in the panel are not involved in NAB case nor entered into plea bargaining with the NAB except the officer at Sr. No. 2.
7. Mng'r Muhammad Rafiq has filed a writ petition in Peshawar High Court which directed the Administrative Department to place the working paper before PSB (Annex- V).

*Abdul
Rafiq*

Signature

[Handwritten Signature]

Designation Secretary

Irrigation Department, Peshawar

[Handwritten Signature]

(Handwritten initials)

(Handwritten number 54)

PSB-III

PANEL PROFORMA FOR
PROVINCIAL SELECTION BOARD

In respect of **Engr. Haider Ali** Personal No. **00079515** Sen: No. **03**
Domicile: **Dir** Service/Group = **Engineering (Irrigation)** Date of Superannuation
31-3-2021
Educational Qualification **B.E. (Civil)** Date of Birth **1-4-1961**

SERVICE PARTICULARS.				Eligibility for consideration	
Date of Joining Service	Date of Promotion in Present Scale	Length of Service			
		Total	In present Scale		
Y	M	Y	M		
26-4-1988	21.06.2003	29	3	14	9

Important Appointments held in the present Rank/Post	
1.	Deputy Director (Design) o/o Chief Engineer (Dev). Technical Officer o/o Chief Engineer (Dev)
2.	XEN, Mechanical Irrigation Division, Peshawar.
3.	Superintending Engineer (H/Q) North Irrigation in his own pay scale.
4.	Advisor, Remodeling of Warsak Canals System Project, Peshawar.

Penalties: **NIL**

Training courses (other than mandatory training)						
Basic Pay Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/Remarks in
BPS-17		-	11	5		
BPS-18		-	14			

Awaited Reports (PERs)	Additional Information (if any)
01.01.2003 to 13.07.2003 & 01.08.2012 to 31.12.2012	NIL

EFFICIENCY INDEX			
Required Threshold	Score of PERs + Training Reports	Marks awarded by PSB	Total
60	49.05		

RECOMMENDATIONS OF PSB		
Promoted	Deferred	Superseded

Prepared by

Checked by

Attested
Signature

Attested
Signature

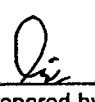

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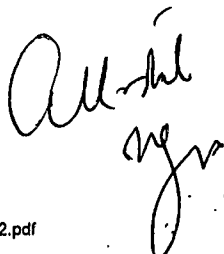


PANEL PROFORMA FOR
PROVINCIAL SELECTION BOARD

In respect of **Engr. Muhammad Rafiq** Personal No. 00079224

Domicile: FR Bannu	Service/Group = Engineering (Irrigation)	Sen: No. 8				
Educational Qualification	Date of Birth	Date of Superannuation				
B.E. (Civil)	1-1-1958	31-12-2017				
SERVICE PARTICULARS.						
Date of Joining Service	Date of Promotion In Present Scale	Length of Service		Eligibility for consideration		
		Total	In present Scale			
		Y M	Y M			
26-4-1988	21.06.2003	29 3	14 4			
Important Appointments held in the present Rank/Post						
1.	XEN F&D Division D.I.Khan					
2.	XEN Peshawar Canal Division Peshawar.					
3.	XEN Warsak Canal Division Peshawar.					
4.	XEN Bannu Canal Division Bannu.					
5.	Superintending Engineer (OPS) Irrigation Circle, Mardan.					
6.	Superintending Engineer (OPS) Irrigation Circle, D.I. Khan.					
	Superintending Engineer, Irrigation Circle, Swabi.					
Penalties: Nil						
Training courses (other than mandatory training)						
- Management Information System Computer Course.						
Basic Pay Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/Remarks In
BPS-17		1	12	1		
BPS-18		2	13			
Awaited Reports (PERs)		Additional Information (if any)				
NIL		NIL				
EFFICIENCY INDEX						
Required Threshold	Score of PERs + Training Reports	Marks awarded by PSB	Total			
60	52.00					
RECOMMENDATIONS OF PSB						
Promoted	Deferred		Superseded			

Prepared by  Checked by 




PSB-III


PANEL PROFORMA FOR
PROVINCIAL SELECTION BOARD

In respect of Engr. Aamer Iqbal Personal No. 00059597

Domicile: <u>Mansehra</u>	Service/Group = <u>Engineering (Irrigation)</u>	Sen: No. <u>4</u>				
Educational Qualification <u>B.E. (Civil)</u>	Date of Birth <u>20-10-1962</u>	Date of Superannuation <u>19-10-2022</u>				
SERVICE PARTICULARS.						
Date of Joining Service <u>26-4-1988</u>	Date of Promotion in Present Scale <u>18-9-2001</u>	Length of Service		Eligibility for consideration		
		Total Y M <u>29 3</u>	In present Scale Y M <u>16 6</u>			
Important Appointments held in the present Rank/Post						
1.	XEN Kohat Irrigation Division.					
2.	XEN SIS Kohat.					
3.	XEN F&D Peshawar.					
4.	Assistant Director Planning o/o Chief Engineer (O&M)					
5.	Deputy Director, Small Dams Organization					
Penalties: <u>Nil</u>						
Training courses (other than mandatory training)						
- Project Proposal Development.						
- Information Technology and Management Information System.						
Basic Pay Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/Remarks in
BPS-17		1	14	2		
BPS-18		12	3			
Awaited Reports (PERs) <u>07.09.2007 to 31.12.2007 & 01.01.2017 to 31.12.2017</u>			Additional Information (if any) <u>NIL</u>			
EFFICIENCY INDEX						
Required Threshold	Score of PERs + Training Reports		Marks awarded by PSB		Total	
<u>60</u>	<u>50.96</u>					
RECOMMENDATIONS OF PSB						
Promoted		Deferred		Superseded		


Prepared by




Checked by



PANEL PROFORMA FOR
PROVINCIAL SELECTION BOARD

PSB-III

8

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In respect of Engr. Muhammad Shoalb		Personal No. NIL				
Domicile: Swat	Service/Group = Engineering (Irrigation)		Sen: No. 5			
Educational Qualification	Date of Birth	Date of Superannuation				
B.E. (Civil)	30-4-1958	29-4-2018				
SERVICE PARTICULARS.						
Date of Joining Service	Date of Promotion in Present Scale	Length of Service		Eligibility for consideration		
		Total	In present Scale			
		Y . M	Y . M			
26-4-1988	2-8-2005	29 . 3	12 . 7			
Important Appointments held in the present Rank/Post						
1.	XEN Bannu Canal Division Bannu.					
2.	Section Officer (Dev), Irrigation Deptt.					
3.	Deputy Director, Rehabilitation for					
4.	Irrigation System.					
5.	Superintending Engineer, Irrigation Circle, Bannu.					
Penalties: Nil						
Training courses (other than mandatory training)						
- Training on Road Safety.						
- Participatory in Management.						
Basic Pay Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/Remarks in
BPS-17		3	13			
BPS-18		5	8			
Awaited Reports (PERs)			Additional Information (if any)			
Nil			NIL			
EFFICIENCY INDEX						
Required Threshold	Score of PERs + Training Reports		Marks awarded by PSB		Total	
60	52.91					
RECOMMENDATIONS OF PSB						
Promoted		Deferred			Superseded	

Prepared by

Abdul Wali Khan

Checked by

Abdul Wali Khan

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BSS-P-14

9

**MERIT ASSESSMENT IN RESPECT OF ENGR. HAIDER ALI, EXECUTIVE ENGINEER
IRRIGATION DEPARTMENT**

SENIORITY POSITION NO. 7

Year	Period of PER		Pen Picture		PERs Assessment	Fitness for promotion	Score
	From	To	Reporting Officer	Countersigning Officer			
1988	30-6-1988	31-12-1988	A young and dutiful officer. His work remained satisfactory during the period under report.	The performance of the was found satisfactory.	Average	Fit	3
1989	1-1-1989	31-10-1989	An average young engineer. Work under report remained satisfactory.	The work of Mr. Haider Ali SDO hydrology Abbotabad was found satisfactory. However, the C/O has signed in Good Box.	Good	Fit	7
	1-11-1989	31-12-1989	Short Period				
1990	1-1-1990	31-11-1990	No remarks has been recorded by the RO. However, signed in Good Box.	Mr. Haider Ali SDO Hydrology Abbotabad has been a good officer.	Good	Fit	7
	1-12-1990	31-12-1990	Short Period.				
1991	1-1-1991	31-12-1991	The officer has been working quite dedicatedly and no serious point was noticed. against him during him during the period under report. Fit for field and office postings.	I agree with the reporting officer.	Good	Fit	7
1992	1-1-1992	16-7-1992	A gentleman who is cooperative and helpful suitable for field and office.	Views of the reporting officer are endorsed.	Good	Fit	7
	17-7-1992	31-12-1992	A very good and disciplined officer.	Agree	Good	Fit	
1993	1-1-1993	31-12-1993	Obedient and regular officer. Performance very satisfactory.	I concur with the reporting officer.	Average	Fit	5
1994	1-1-1994	6-3-1994	Short Period.				
	7-3-1994	31-12-1994	He is docile, well behaved and dutiful but has not ee posted in a regular sub-division which has induced in him back of confidence. He being competent need to be posted in a regular Irrigation Sub-Division.	A good Report. However, C/O signed in average box.	Average.	Fit	5
1995	1-1-1995	5-12-1995	Docile and humble, has very simple habits. Adoptability in abundance.	A good report.	Average	Fit	5
1996	1-1-1996	31-12-1996	His performance is satisfactory. He is recommended for transfer/posting to light sub-division.	He is an average officer.	Average	Fit	5
1997	1-1-1997	28-7-1997	He is reliable and hard worker engineer. His performance during the period was quite satisfactory/good.	Worked well.	Good	Fit	7
	20-7-1997	7-9-1997	Short Period.				

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Section Officer (Estt)
Govt. of Khyber Pakhtunkhwa
Irrigation Department

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	8-9-1997	31-12-1997	He has recently been transferred to this project post and I am of the view that he will adjust himself over here. He is a good engineer.	Countersigned	Good	Fit	
1998	1-1-1998	31-12-1998	He has shown all out interest in his duties and has gained sufficient experience on public oriented swabi scarp project. He may be kept in his present post for the rest of the project period.	The officer is during his job very well.	Good	Fit	7
1899.	1-1-1999	31-9-1999	He is the senior most Assistant Engineer and has recently been posted as TO in the office of Engineer where is hoped to work for some time.	The officer did his job very well.	Good	Fit	7
	14-9-1999	31-12-1999	The performance was satisfactory.	---	Good	Fit	
2000	1-1-2000	8-12-2000	Honest, good. His performance is satisfactory.	---	Good	Fit	7
	9-12-2000	31-12-2000	Short period				
2001	1-1-2001	15-6-2001	An average officer who needs to be given field exposure to develop confidence and eventually however, an asset for the department.	I agree with the overall grading made by the Reporting Officer.	Average	Fit	7
	22-7-2001	31-12-2001	A good officer. He can even deliver more better if he applies himself fully.	He is a good officer and requires/deserve regular promotion.	Good	Fit	
2002	1-1-2002	23-4-2002	A good Officer. No complaint	As per reporting officer. Seen.	Good	Fit	7
	24-4-2002	31-12-2002	The undersigned is agreed with the information given by the officer and he is a good engineer.	I agree with above report	Good	Fit	
				Total ACRs marks of BS-17			93/14
2003	1-1-2003	13-7-2003	Not available. The same has not initiated by the officer				
	14-7-2003	31-12-2003	His performance during the period was found satisfactory. He is a good Officer.	I know the officer very well. He is an obedient and honest person	Good	Fit	4
2004	1-1-2004	4-8-2004	Yes performance was satisfactory during the period. The officer is healthy (physically) having good behaviour, can run light division	The performance of the officer was found satisfactory during the reporting period.	Good	Fit	7
	5-8-2004	31-12-2004	An honest officer. A good officer always take pain executive jobs interested to him.	I know the officer very well because he has remained with me during execution of Swabi SCARP in capacity of SDO.	Good	Fit	
2005.	1-1-2005	21-2-2005	Short Period.				7
	22-2-2005	12-12-2005	A hardworking person and a willing worker, who takes full interest in disposal of official matters entrusted to him.	Generally I agree with the R.O	Good	Fit	
2006	1-1-2006	31-12-2006	Performance of the officer was found satisfactory. No complaint.	Generally I agree with the R.O	Good	Fit	7
2007	1-1-2007	31-12-2007	No complaint	Countersigned	Good	Fit	7
2008	1-1-2008	21-2-2008	Short Period.				7
	22-2-2008	31-12-2008	No complaints. He is a respectful and responsive officer.	Countersigned	Good	Fit	

Abdul Wali Khan

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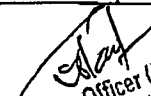
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Section Officer (F-11)
Govt. of Khyber Pakhtunkhwa
Irrigation Department

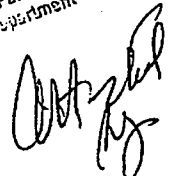
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2009	1-1-2009	31-12-2009	The officer performed satisfactory during the period under report. No complaints. A calm and quite officer who worked with grace and nobility.	I agree with R.O.	Good	Fit	7
2010	01.01.2010	20.04.2010	Do his job well in time	I agree with the R.O	Good	FR	7
	21.04.2010	31.12.2010	Development projects	I agree with the remarks of the reporting officer	Good	Fit	
2011	01.01.2011	31.07.2011	Trustworthy	An average officer	Average	Fit	7
	01.08.2011	31.12.2011	Good	I agree with the reporting officer	Good	Fit	
2012	01.01.2012	01.08.2012	To be more attentive in his work.	I agree with the remarks of the reporting officer.	Good	Fit	5
	01.08.2012	31.12.2012	Not available.				
2013	01.01.2013	31.12.2013	No complaints	Agreed with the report of the reporting officer.	Good	FR	7
	02.08.2013	31.12.2013	No complaints	Agreed with the report of the reporting officer	Good	Fit	
2014	01.01.2014	24.12.2014	Despite his illness, he was regular in official duties.	Good Officer	Good	Fit	7
2015	01.01.2015	31.12.2015	Awaiting posting				
2016	01.01.2016	04.08.2016	Awaiting posting				
	05.08.2016	31.12.2016	Good and hard working Engineer.	Agreed with the remarks of the reporting officer.	Good	Fit	7
Total ACRs marks of BS-18							89/14

Comprehensive Efficiency Index

PERs Quantified Score 42.28 @ 70%	Basic Scale	Aggregate Score	Weight age Factor	Points obtained
	Present Scale	89/14	7 X 6X42/50	36
	Previous Scale	83.7/	5.9X 4x28/50	13.21
	(i) Additions*			
	(ii) Delftions**			
	Total (A)			50.0


 Section Officer (Estt)
 Govt. of Khyber Pakhtunkhwa
 Irrigation Department



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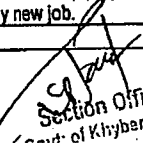
MERIT ASSESSMENT IN RESPECT OF ENGR. MUHAMMAD RAFIQ KHAN, EXECUTIVE ENGINEER
IRRIGATION DEPARTMENT
SENIORITY POSITION NO. 8

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Year	Period of PER		Pen Picture		PERs Assessment	Fitness for promotion	Score
	From	To	Reporting Officer	Countersigning Officer			
			Previous Scale BS-17				
1988	1-7-1988	20-10-1988	A young intelligent Engineer.	Mr. Muhammad Rafiq is a good Officer.	Good	Fit	1.74
1989	1-1-1989	19-4-1989	During his stay, he was proved very hard working and devoted to his job. He can be trusted on important assignment given to him. He is very obedient and sincere worker.	I concur with I.O.	V.Good	Fit	7
	20-4-1989	21-8-1989	No work on the sub-division was entrusted to him. However, his working has been assessed on his day to day performance.	Seen. C.O has signed in Good Box.	Good	Fit	
	12-8-1989	31-12-1989	He is young engineer and no longer experience. He is yet to learn field works. He is yet to learn field work. He is taking interest in field and office duty as well.	An average SDO. A new incumbent, shall have to work hard to pick up in due course.	Average	Fit	
1990	1-1-1990	14-9-1990	He is young, energetic engineer. By the time getting experience, he will be improved much in performance of irrigation jobs. Later distribution of irrigation water and maintenance of canals.	Work satisfactory	Average	Fit	5
	17-9-1990	24-9-1990	Short Period				
	25-9-1990	31-12-1990	A new entrant in the department. Dedication to duty, hard work and will make him a good engineer.	He is a new entrant and lacks both knowledge and work hard to improve his working.	Average	Fit	
1991	1-1-1991	23-4-1991	With more experience and his continued dedication to duty will make him a good and efficient engineer.	Assessment of XEN B.C Division is endorsed.	Good	Fit	7
	24-4-1991	30-9-1991	A young engineer with pleasant personality require to exert further hardship for professional and technical build up.	Mr. Rafiq is young, energetic, hard working and willing worker. His performance was observed to be very good.	Good	Fit	
	1-10-1991	31-12-1991	A young engineer with pleasant personality, require to exert further hardship for professional/tech build up.	Seen and agreed to.	Good	Fit	
1992	1-1-1992	14-3-1992	Short Period.				7
	15-3-1992	31-12-1992	A good, energetic officer.	Good report. Countersigned.	Good	Fit	

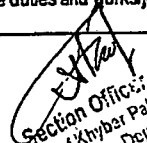
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 Section Officer (Estt)
 Govt. of Khyber Pakhtunkhwa
 Irrigation Department

1993	1-1-1993	14-5-1993	His work for the period under report remained quite satisfactory	Overall performance is good. Fit for promotion in his turn.	Good	Fit	7
	15-5-1993	29-11-1993	A well behaved and decent person who is fit for posting in any heaviest Sub-Division of the department.	A good Sub-Divisional Officer.	Good	Fit	
	30-11-1993	31-12-1993	Short Period				
1994	1-1-1994	26-2-1994	Short Period				7
	27-2-1994	22-4-1994	Short Period				
	23-4-1994	8-10-1994	Willing worker with great potential to deal with any situation during execution of development project as well as supervision of O&M work.	Assessment of the XEN T/W Irigation is endorsed.	Good	Fit	
	9-10-1994	2-11-1994	Short Period				
1995.	1-1-1995	30-11-1995	Young, energetic officer. He takes interest in his work.	A good Officer.	Good	Fit	7
	1-12-1995	31-12-1995	Short Period				
1996	1-1-1996	11-3-1996	Short period				7
	12-3-1996	4-9-1996	An obedient Officer, An experienced Engineer.	A good Officer.	Good	FIT	
	5-9-1996	31-12-1996	A good Sub-Divisional Officer. He knows his job very well.	A good Engineer.	Good	Fit	
1997	1-1-1997	7-8-1997	He knows his job well.	Obedient and hard working Engineer.	Good	Fit	7
	8-8-1997	8-9-1997	Short Period				
	8-9-1997	31-12-1997	He knows his job well.	He is an efficient, hard working and technically good Assstant Engineer.	Good	Fit	
1998	1-1-1998	6-6-1998	Fit for any job.	He is an efficient, hardworking and technically good Assstant Engineer.	Good	Fit	7
	7-6-1998	26-9-1998	A hard working subordinate. Fit for posting to any Sub-Divisional Officer anywhere in the province.	Efficient Engineer with good engineering knowledge	Good	Fit	
	27-9-1998	31-12-1998	He is running his job smoothly and may be kept at his present post will end of project	Having a good engineering approach to the project works.	Good	Fit	
1999	1-1-1999	24-5-1999	On completion of Swabi Scarp Project he may be posted anywhere out.	An intelligent officer.	Good	Fit	7
	24-5-1999	21-8-1999	Short Period.				
	22-8-1999	31-12-1999	He is maintenance and oriented officer and on completion of Swabi Scarp Project he may be posted any where other than project jobs.	Countersigned.	Good	Fit	
2000	1-1-2000	16-4-2000	On completion of SWABI Scarp project Assistant Director can be posted on any new job.	A good engineer.	Good	Fit	7
	17-4-2000	11-6-2000	Short Period				


 Section Officer (Estt)
 Govt. of Khyber Pakhtunkhwa
 Government

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	12-6-2000	12-8-2000	Short Period				
	16-9-2000	24-10-2000	Short Period				
	25-10-200	31-12-2000	Short Period				
2001	1-1-2001	31-12-2001	Satisfactory. He was new entrant to a position of greater responsibility. Hopefully with run of time and exposure he may overcome: Lack of devotion, confidence skill as responsibly. These are advisory and may not be treated as adverse.	I agree with the reporting Officer.	Average	Fit	5
2002	1-1-2002	14-11-2002	Morally good. The officer has brought visible improvement towards punctuality and devotion to the duty.	I agree with the reporting officer. No one is perfect and always require further improvement in his profession.	Good	Fit	7
	15-11-2002	31-12-2002	Short period.				
				Total ACRs marks BS-17			95.74/14
2003	1-1-2003	30-6-2003	More assistance was received from his subordinate engineering staff. Morally good. I	I agree with the reporting officer.	Average	Fit	6
	1-7-2003	31-12-2003	The officer had made good efforts for operating, maintaining and achieving the targets stated under part-II. He is an upright person.	He is a hard working and efficient workers.	Good	Fit	
2004	1-1-2004	1-4-2004	The officer has worked hard towards achieving the targets as mentioned under part-II which are agreed. He is a good officer.	An efficient and hard working officer.	Good	Fit	7
	2-4-2004	9-4-2004	Short Period.				
	10-4-2004	4-11-2004	The officer has worked hard towards achieving the targets as mentioned under para-II(2) which are agreed.	He is a good Officer.	Good	Fit	
	5-11-2004	31-12-2004	Short Period				
2005	1-1-2005	31-12-2005	Performance of the officer during the period under report was found satisfactory. The job description mentioned in part-II are agreed. No complaint.	He is reliable, hard worker and efficient engineer. His performance during the period was quite satisfactory.	Good	Fit	7
2006	1-1-2006	7-8-2006	Performance of the officer remained satisfactory during the period under report. The duties an works/jobs mentioned in part-II(2) are agreed. Honest and good moral character.	Agree to the remarks.	Good	Fit	7
	8-8-2006	20-9-2006	Short Period				
	21-9-2006	31-12-2006	Performance of the officer remain satisfactory during the period under report. The duties and works/jobs mentioned in part-II are agreed.	Honest with good moral character.	Good	Fit	


 Section Officer: (Estt)
 of Khyber Pakhtunkhwa
 in Department

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2007	1-1-2007	17-8-2007	Performance of the officer during the period under report was found satisfactory in part-II are agreed. Honest with good moral character.	I know the officer quite well.	Good	Fit	5
	18-8-2007	31-12-2007	Complaints were received against him. Submission of assignment awarded to him from time to time lacked and he does not try to inform his performance. He has weak managerial and administrative qualities.	I know the officer quite well.	Average	Fit	
2008	1-1-2008	21-8-2008	Substantially achieved the targets and does agree to the statement made in part-II (2). Need to be straight forward with supervision.	I know the officer well and agree with the assessment of the reporting officer.	Good	Fit	7
	22-8-2008	5-9-2008	Short Period				
	5-9-2008	31-12-2008	An honest officer. An intelligent and hard working engineer.	I know the officer quite well and have reservation on the grading given by the reporting officer specially in cols: 3,4,5 (Part-II).	Good	Fit	
2009	1-1-2009	11-4-2009	An honest officer. A very good officer. Always precise to the point. He has worked hard for collection of Abiana.	A docile and nice officer.	V.Good	Fit	8
	12-4-2009	6-9-2009	The officer has good knowledge of work and has produced good quality works during the period under report. Has sufficient knowledge of operation and maintenance of the system.	A good officer.	Good	Fit	
	7-9-2009	3-12-2009	Agreed, the officer has performed well during the period and has good knowledge of irrigation works. The officer has made efforts for boosting recovery of abiana.	I agree with the remarks of the reporting officer.	V.Good	Fit	
	4-12-2009	31-12-2009	Short Period.				
2010	01.01.2010	20.04.2010	An experienced hand, dutiful and respectable officer	I agree with the remarks of the reporting officer	Good	Fit	8
	21.04.2010	30.04.2010	Short period				
	30.04.2010	19.08.2010	An honest officer with good moral character	I agree	V. Good	Fit	
	20.08.2010	31.12.2010	Upright & honest	A good officer	Good	Fit	
2011	01.01.2011	23.05.2011	An experienced hand, respectable officer	A good & honest officer	Good	Fit	7
	24.05.2011	28.07.2011	Short period				
	29.07.2011	31.12.2011	Equally fit for field & office job	A good officer	Good	Fit	
2012	01.01.2012	16.03.2012	Upright & straight forward	A good officer	Good	Fit	7
	17.03.2012	31.12.2012	The officer was very obedient and friendly.	The officer was able to manage his responsibilities. I concur the assessment made by R.O	Good	Fit	

Section Officer (E.S.I)
 Govt. of Khyber Pakhtunkhwa
 Irrigation Department

Abdul Wali Khan

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2013	01.01.2013	09.05.2013	The officer was found very obedient and friendly.	The officer managed his responsibilities fairly well.	Good	Fit	7
	26.04.2013	11.08.2013	Hardworking and intelligent engineer. He takes keen interest in his work	I agree with the assessment of the reporting officer	Good	Fit	
	12.08.2013	31.12.2013	Needs alerts at times	I agree with the remarks of Reporting Officer	Good	Fit	
2014	01.01.2014	31.12.2014	Needs improvement in embarrassing full responsibility of the post	I agree with the remarks of Reporting Officer	Good	Fit	7
2015	01.01.2015	09.10.2015	No complaints	Report endorsed	Good	Fit	7
	10.10.2015	31.12.2015	Short period				
2016	01.01.2016	19.01.2016	Short period				7
	20.01.2016	05.08.2016	An experienced and dutiful officer.	Agree with the assessment of the reporting officer.	Good	Fit	
	06.08.2016	31.12.2016	A good Engineer, tries to achieve the targets assigned to him.	Countersigned	Good	Fit	
				Total ACRs Marks of BS-18			97/14

Comprehensive Efficiency Index

PERs Quantified Score 42.28 @ 70%	Basic Scale	Aggregate Score	Weight age Factor	Points obtained
	Present Scale	97/14	7 X 6X42/50	36
	Previous Scale	93.74/14	6.8 X 4x28/50	15.23
	(i) Additions*			
	(ii) Delfitions**			
	Total (A)			52.00

Section Officer (Estt)
 Govt. of Khyber Pakhtunkhwa
 Irrigation Department

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MERIT ASSESSMENT IN RESPECT OF ENGR. AAMER IQBAL, EXECUTIVE ENGINEER
IRRIGATION DEPARTMENT
SENIORITY POSITION NO. 9

Year	Period of PER		Pen Picture		PERs Assessment	Fitness for promotion	Score
	From	To	Reporting Officer	Countersigning Officer			
Previous Scale BS-17							
1988	4-4-1988	6-7-1988	Short Period				5
	7-7-1988	31-12-1988	Well behaved with a pleasant personality and time to learn and is fit for posting as Assistant Engineer anywhere in the department. The RO signed in Average Box.	Mr. Aamir Iqbal is willing worker and a good officer. No sign of the C/O is available in C/Signing Box.	Average	Fit	
1989	1-1-1989	22-8-1989	A well behaved young Engineer. Taking interest in his work.	Mr. Aamir Iqbal is a good officer. He took interest in his work and performed his duties efficiently. The C/O signed in Average Box.	Average	Fit	6
	27-8-1989	31-12-1989	The officer is very obedient, gentle and hard working boy. He is a beginner and learns very rapidly. He takes interest in the office as well as field work. He shall prove an asset to the department in future.	His performance as good.	Good	Fit	
1990	1-1-1990	14-9-1990	The officer is a decent noble and obedient person. He works hard and tries to discharge his obligations efficiently.	He is an intelligent and hard working young engineer whose performance was good.	Good	Fit	7
	5-9-1990	31-12-1990	The officer is a decent noble and obedient person. He works hard and tries to discharge his obligations efficiently.	Countersigned.	Good	Fit	
1991	1-1-1991	17-7-1991	An obedient and polished officer.	An intelligent Assistant Engineer who took keen interest his professional work and performed well.	Average	Fit	6
	21-7-1991	4-8-1991	Short Period.				
	4-8-1991	31-12-1991	Worked well during the period under report.	Good report.	Good	Fit	
1992	1-1-1992	12-5-1992	A quite, obedient Engineer who performed well during the period under report.	A good report.	Good	Fit	7
	12-5-1992	12-12-1992	He is a good Assistant Engineer. He gained sufficient experience in the field & office routine work and is fit for posting in the field as well as in the office.	A good Engineer	Good	Fit	
	12-12-1992	31-12-1992	Short Period.				
1993	1-1-1993	19-7-1993	A young hard working Assistant Engineer	I agree.	Good	Fit	7

Section Officer (FSD)
of Irrigation Department

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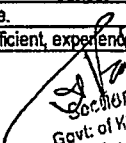
18

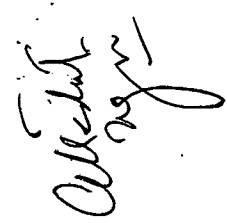
1994	20-7-1993	22-11-1993	A very hard working, intelligent and obedient officer.	A good report.	Good	Fit	7
	23-11-1993	31-12-1993	Short Period				
	1-1-1994	22-1-1994	Short Period				
	25-1-1994	4-8-1994	A well behaved and sensible officer.	Good report.	Good	Fit	
	5-8-1994	6-11-1994	The officer is suitable for long projects.	He has been very helpful in the disposal of routine work.	Good	Fit	
	7-11-1994	31-12-1994	Short Period				
1995	1-1-1995	31-12-1995	Mr. Aamir Iqbal, Junior Engineer worked in the Contracts Section of Swabi SCARP. The test assigned to him preparation of contract documents, engineering estimates/evaluation of tenders and he always accomplished the assigned task in time. Mr. A. Iqbal is courteous, cooperative and considerate. He bears good moral character.	I agree with the report of I.O.	V.Good	Fit	10
1996	1-1-1996	5-10-1996	Mr. Aamir Iqbal, Junior Engineer worked in the contract section of the Swabi SCARP contracts and through out his stay with me, I found him considerate, nature and balanced person. He has through knowledge of the contract documents production and he always produced work of high quality and completed his assignment in time.	I agree with RO.	Good	Fit	7
		6-10-1996	31-12-1997	Short Period			
1996	1-1-1997	24-7-1997	An obedient, dutiful and hard working officer. He is fit for every job on department.	A good Report.	Good	Fit	7
	25-8-1997	9-9-1997	Short Period				
	8-9-1997	31-12-1997	He is an efficient, cooperative and technically sound Sub-Divisional Officer.	Highly disciplined, sensible hard working and responsible engineer.	Good	Fit	
1997	1-1-1998	5-12-1998	He is an efficient, hard working, cooperative and well trained Assistant Engineer.	Over all performance was good.	Good	Fit	7
		6-12-1998	31-12-1998	Short Period			
1998	1-1-1999	31-12-1999	A good Engineer who could be assigned any job.	A calm, obedient Engineer who performed well.	Good	Fit	7
1999	1-1-2000	1-4-2000	An excellent, hard working, competent and capable engineer. He always produced good quality works and achieved the targets very efficiently assigned to him. It is always a pleasure to have a sub-ordinate like him.	A calm, experienced and sensible engineer.	V.Good	Fit	8.5
		2-4-2000	31-10-2000	He is honest officer. He is a good Irrigation Engineer and takes pain in the Govt work. He is punctuate in govt duties.	A calm and noble officer who performed well during the period under report.	Good	

Abdul Wali Khan

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	1-11-2000	31-12-2000	Short Period				
2001	1-1-2001	08-10-2001	Description of works is correct. Performance satisfactory. No complaint. A young officer who has the capacity to become a good engineer.	Assessment made by the Reporting Officer endorsed.	Good	Fit	7
	9-10-2001	31-12-2001	Short Period				
2002	1-1-2002	31-12-2002	His performance during the period under report was very good.	The officer is respectable and the assessment is agreed to.	Good	Fit	7
				Total ACRs Marks of BS-17			105.5/15
2003	1-1-2003	21-7-2003	He has successfully carried out the duties mentioned in part-II and his performance has been quite satisfactory.	He is an efficient and zealous officer.	Good	Fit	8
	22-7-2003	31-12-2003	During the period under report, the performance of the officer was very good. He was able achieve targets within specified time frame.	He is thorough gentleman, capable, zealous and efficient officer.	V.Good	Fit	
2004	1-1-2004	1-4-2004	The performance of the officer was very good. He was able to produce good results and achieved targets within specified time frame.	He is a thorough gentleman, efficient capable and zealous worker.	V.Good	Fit	8
	15-4-2004	31-12-2004	Mr. Aamir Iqbal performed efficiently and promptly during the period. He is a thorough gentleman. He is trustworthy and can be entrusted tasks without hesitation.	I agree to the reporting officer.	Good	Fit	
2005	1-1-2005	31-12-2005	A good officer. Performed to the requirement during the period. Needs to be more quick in decision making and disposal of urgent nature works.	An obedient and hard working engineer. His performance was quite satisfactory during the period. The C/O signed in Good Box.	Good	Fit	7
2006	1-1-2006	04-8-2006	A good officer. Needs to improve persuasive capabilities to achieves the targets through the subordinates. Needs to improve initiative further unsatisfactory efforts towards the recovery of Ablana. No complaints. A thorough gentleman. A straight forward person.	A matured and self reliance officer.	V.Good	Fit	8
	4-8-2006	22-9-2006	Short Period.				
	23-9-2006	31-12-2006	Honest with good moral character. A hard working and friendly officer who knows his job very well.	Agree to the remarks. Reliable and obedient officer with descent personality.	Good	Fit	
2007	1-1-2007	18-8-2007	The performance of the officer was satisfactory during the period under report. The works listed in part-II are agreed. Honest with good moral character.	I know the officer quite well.	Good	Fit	5
	19-8-2007	6-9-2007	Short Period				
	7-9-2007	31-12-2007	Not available.				
2008	1-1-2008	25-8-2008	Good. An efficient, experienced and hard working officer.	Agreed with the reporting officer.	V.Good	Fit	7


 Section Officer (E-11)
 Govt. of Khyber Pakhtunkhwa
 Peshawar



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2009	1-1-2009	5-3-2009	Short Period					8
	8-3-2009	24-3-2009	Short Period					
	24-3-2009	31-12-2009	A competent, hard working and dedicated officer	I know the officer quite well. He is very defensible and hard working Engineer.	V. Good	Fit		
2010	01.01.2010	15.07.2010	A competent, experienced and efficient Officer.	A V. good officer.	V. Good	Fit	8	
	16.07.2010	31.12.2010	A good officer	Good Officer	Good	Fit		
2011	01.01.2011	07.02.2011	Short period				7	
	07.02.2011	03.08.2011	Good	A good Officer	Good	Fit		
	04.08.2011	16.08.2011	Short Period					
2012	16.08.2011	31.12.2011	An upright officer	A competent and very good officer	V. Good	Fit	8	
	01.01.2012	31.12.2012	The officer always comes up with very professional proposals.	A very good, hard working and competent officer	V. Good	Fit		
2013	01.01.2013	26.03.2013	No complaint	A very good officer	V. Good	Fit	8	
	27.03.2013	31.12.2013	An upright and honest officer	Good Officer	V. Good	Fit		
2014	01.01.2014	30.01.2014	Short period				8	
	30.01.2014	04.06.2014	An intelligent and confident officer	A very good officer	V. Good	Fit		
	05.06.2014	31.12.2014	An upright and honest officer	—	V. Good	Fit		
2015	01.01.2015	06.08.2015	An upright and honest officer	Very good officer.	V. Good	Fit	8	
	07.08.2015	31.12.2015	He has ability to handle both office and field works	Good Officer	V. Good	Fit		
2016	01.01.2016	20.04.2016	Works well in team.	Concur with the remarks of the reporting officer	V. Good	Fit	8	
	21.04.2016	31.12.2016	An upright and honest officer		V. Good	Fit		
				Total ACRs Marks of BS-18				102/14

Section Officer (Es't)
Govt. of Khyber Pakhtunkhwa
Irrigation Department

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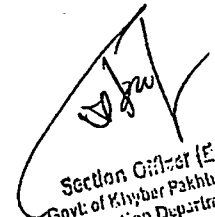
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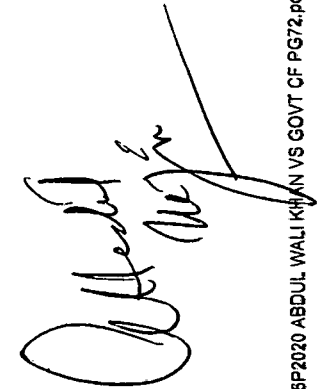
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Comprehensive Efficiency Index

PERS Quantified Score 42.28 @ 70%	Basic Scale	Aggregate Score	Weight age Factor	Points obtained
	Present Scale	102/14	8x6x42/50	41
	Previous Scale	105.5/15	7.0 x 4x28/50	15.68
	(i) Additions*			
	(ii) Deductions**			
	Total (A)			57.00


 Section Officer (E-14)
 Govt. of Khyber Pakhtunkhwa
 Irrigation Department



17

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MERIT ASSESSMENT IN RESPECT OF ENGR. MUHAMMAD SHOAB, EXECUTIVE ENGINEER
IRRIGATION DEPARTMENT
SENIORITY POSITION NO.10

Year	Period of PER		Pen Picture		PERs Assessment	Fitness for promotion	Score	
	From	To	Reporting Officer	Countersigning Officer				
			Previous Scale BS-17					
1988	20-10-1988	31-12-1988	Short Period.					
1989	1-1-1989	31-10-1989	An average of young engineer. Work under reporting period remained satisfactory.		The performance of Mr. Mohammad Shoab SDO Hydrology Bannu was found satisfactory. However, the C/O signed in Good Box.	Good	Fit	7
	1-11-1989	31-12-1989	Short Period					
1990	1-1-1990	5-8-1990	No comments. N.R. Hydrology Work.		Mr. Muhammad Shoab, SDO Hydrology Bannu Sub-Division is a hard working and competent engineer. His performance was good.	Good	Fit	7
	5-8-1990	31-12-1990	A new entry into the service. He is taking keen interest in the execution of works and would prove useful if continue to work with same zeal and enthusiasm. He worked well during the period under report.					
1991	1-1-1991	20-4-1991	Worked well. The officer has taken a good stout and exerted more in execution of numerous works in his Sub-Division. An obedient and hard working officer.		A good report.	Good	Fit	6
	21-4-1991	31-12-1991	Anywhere in the region against the post of Assistant Engineer		Satisfactory.			
1992	1-1-1992	31-12-1992	Good Assistant Engineer and can be posted anywhere in NWFP.		A good Sub-Divisional Officer.	Good	Fit	7
1993	1-1-1993	18-4-1993	He can be posted anywhere in the province against the post of Assistant Engineer.		An obedient and pain taking engineer who has the capability to do any difficult job.	Good	Fit	7
	14-4-1993	19-6-1993	Short Period					
	19-7-1993	17-8-1993	Short Period.					
	17-8-1993	12-12-1993	A docile engineer who worked with zeal. He should be given an opportunity to work on project for building.		A good report.			
	13-12-1993	31-12-1993	Short Period					

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 Section Officer (P-10)
 Irrigation Department

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 Mr. Wali Khan VS GOVT OF PG72.pdf

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**MERIT ASSESSMENT IN RESPECT OF ENGR. ABDUL WALI KHAN, EXECUTIVE ENGINEER
IRRIGATION DEPARTMENT**

SENIORITY POSITION NO. 11

Year	Period of PER		Pen Picture		PERs Assessment	Fitness for promotion	Score
	From	To	Reporting Officer	Countersigning Officer			
Previous Scale BS-17							
1988	13-6-1988	27-9-1988	The officer is obedient, dutiful and efficient.	An efficient and hard working officer.	Good	Fit	3
	13-10-1988	31-12-1988	An average Assistant Engineer. He can be posted anywhere in the department.	The performance of Mr. Abdul Wali Yousafzai was found satisfactory.	Average	Fit	
1989	1-1-1989	30-6-1989	He is qualified Assistant Engineer and can be posted anywhere in the department as assistant engineer.	Mr. Abdul Wali Yousafzai is a good officer.	Good	Fit	6
	1-7-1989	31-12-1989	A young pain taking engineer is suitable for posting in the Irrigation as Assistant Engineer	He is a good officer and takes interest in his work. The Countersigning officer has signed in Average Box.	Average	Fit	
1990	1-1-1990	31-01-1990	Short Period				5
	1-2-1990	31-12-1990	Nil	The work of Mr. Abdul Wali Yousafzai SDO Hydrology Peshawar was found satisfactory.	Average	Fit	
1991	1-1-1991	31-12-1991	Fit for any post.	The performance of Mr. Abdul Wali Yousafzai SDO Hydrology Peshawar was good.	Good	Fit	7
1992	1-1-1992	31-12-1992	Nil	Seen and agreed. Reporting/Countersigning Officers have signed in Good Box	Good	Fit	7
1993	1-1-1993	31-12-1993	Nil Remarks. Routine work done. No special duties were carried by him.	A competent and good officer.	Good	Fit	7
1994	1-1-1994	31-12-1994	For future posting most suitable in office or at same post in Hydrology Sub-Division.	Efficient, accommodative and acceptable to me if promoted to higher grade.	Good	Fit	7
1995	1-1-1995	31-12-1995	In his field.	Good report. The officer was efficient in during his duties.	Good	Fit	7
1996	1-1-1996	31-12-1996	He is a honest fellow	A good officer	Good	Fit	7
1997	1-1-1997	11-8-1997	Nil	Countersigned.	Good	Fit	
	12-8-1997	12-9-1997	Short Period				8.5

Abdul Wali Khan

*Section Officer (Estt)
Govt. of Khyber Pakhtunkhwa
Irrigation Department*

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	12-9-1997	31-12-1997	An obedient, efficient and honest worker. Performance remained satisfactory during the period under report. Fit for posting anywhere in the Department.	A good report. However, Reporting Officer/Countersigning Officer have signed in V.Good Box.	V.Good	Fit	
1998	1-1-1998	31-10-1998	A straight forward persuasive officer. Given due care to responsibilities.	An obedient, efficient and hard working officer.	Good	Fit	7
	1-11-1998	31-12-1998	Short Period.				
1999	1-1-1999	31-12-1999	An experienced, dependable and competent officer who takes keen interest in his job.	An experienced and efficient Assistant Engineer.	Good	Fit	7
2000	1-1-2000	4-4-2000	He is an experienced officer and has a thorough grasp over his job, specially in the field of hydrology. He has achieved all the targets assigned to him during the period under report. He is highly honest, straight forward and trustworthy fellow	He is well known to me. His performance was very good.	V.Good	FR	8.5
	5-4-2000	31-12-2000	He knows his job very well. His performance was good.	Mr. Abdul Wali is a devoted experienced Engineer. His performance was good.	Good	Fit	
2001	1-1-2001	8-9-2001	Honest. An experienced officer with sound professional knowledge. His performance was good.	I found him hard working, and as Engineer he knows his job well. The C/O has signed in V.Good Box.	V.Good	Fit	10
	20-9-2001	31-12-2001	V.Good. No complaint has been received so far. The officer is an energetic and dignified officer/Engineer.	I agree with the reporting officer.	V.Good	Fit	
2002		14-11-2002	I fully agree with what has been stated in Part-II (2) above. The officer performed well during the period and besides this own duties he performed well as Director PHLC while holding additional charge. The officer bears good moral character. An upright straight and honest worker.	I agree with the assignment made by the Reporting Officer.	V.Good	Fit	10
	15-11-2002	31-12-2002	Short Period				
2003	1-1-2003	31-7-2003	Performance during he period was good. Honest Person	Not countersigned	Good	Fit	
	1-8-2003	31-12-2003	The officer performed well during the period, regarding the job given to him in part-II (2). Honest	Not countersigned	Good	Fit	
2004	1-1-2004	2-8-2004	The officer performance his duties to the entire satisfaction of me. Honest. A devoted worker.	Not countersigned			
	21-8-2004	31-12-2004	He is a good officer, during the period under report his performance was satisfactory. Honest. His performance is satisfactory during the period under report.	I agree with the evaluation and remarks of reporting officer.	V.Good	Fit	3.33

Section Officer (P-34)
Govt. of Khyber P. & F. Irrigation Department II

Abdul Wali

574

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				Total ACRs Marks of BS-17			110.33/16.5
2005	1-1-2005	21-2-2005	Short Period				7
	22-2-2005	4-5-2005	Short Period				
	5-5-2005	31-12-2005	The performance of the officer during the period under report was satisfactory. The work listed in para-II(2) are agreed.	He performed very well during the last year flood fighting emergency and saved life and property of affectees	Good	Fit	
2006	01.01.2006	10.02.2006	Short period				8
	10.02.006	03.11.2006	Takes initiative	A good and reliable officer	V. Good	Fit	
	03.11.2006	31.12.2006	Honest	A good and reliable officer	V. Good	Fit	
2007	01.01.2007	31.08.2007	No complaint	I know the officer quite well	Good	Fit	8
	01.09.2007	31.12.2007	A good officer	The officer is well known to me.	V. Good	Fit	
2008	01.01.2008	31.12.2008	A good officer	I know the officer quite well.	V. Good	Fit	8
2009	01.01.2009	19.05.2009	Project oriented	I know the officer quite well.	V. Good	Fit	8
	19.05.2009	31.12.2009	An honest and dedicated officer	Agreed with the remarks of the reporting officer	V. Good	Fit	
2010	01.01.2010	31.12.2010	An honest and upright officer	Agreed with the remarks of the reporting officer	V. Good	Fit	8
2011	01.01.2011	31.07.2011	Nil	A very good officer	V. Good	Fit	8
	01.08.2011	31.12.2011	An officer hardworking and well behaved.	I know the officer personally well.	V. Good	Fit	
2012	01.01.2012	31.12.2012	Recommended for future training	A v. good and efficient officer	V. Good	Fit	8
2013	01.01.2013	31.12.2013	Recommended for future training	A straight forward and honest officer	V. Good	Fit	8
2014	01.01.2014	31.12.2014	A hard working efficient and well behaved officer	An honest bold and dedicated officer	V. Good	Fit	8
2015	01.01.2015	31.12.2015	A hard working efficient and well behaved officer	Agreed with the reporting officer	Good	Fit	7
2016	01.01.2016	31.12.2016	As reported in Para-iv	I know the officer personally very well	V. Good	Fit	8
				Total ACRs of BS-18			94/12

(Signature)
 Section Officer (C-1)
 Govt. of Khyber Pakhtunkhwa
 Irrigation Department

(Signature)

83

75

~~80~~

87

3/0

Average Marks in BS-17
Average Marks in BS-18

110.33/16.55 = 6.36
94/12 = 7.8

Formula:

(6 X B) + (4 X A)
(6 X 7.83) + (4 X 6.6)

Total Marks:

73.38

Comprehensive Efficiency Index

PERs Quantified Score 42.28 @ 70%	Basic Scale	Aggregate Score	Weight age Factor	Points obtained
	Present Scale	94/12	7.86x42/50	39.31
	Previous Scale	110.33/16.5	6.67x42/50	14.78
	(I) Additions* (II) Deductions**			
	Total (A)			54.09

S. M. Khan
 Section Officer (ES-10)
 Govt. of Punjab, Ferozpur
 District, Ferozpur

Abdul Wali Khan

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To

(Signature)

(Signature)

CHIEF ENGINEER, IRRIGATION DEPARTMENT
Dated Peshawar the 18th September, 2017

P-V

2273

NOTIFICATION

BP/RR/7-1/2006/Vol-IV

Strength: 29

In pursuance of Sub- Section (1) of the Section- 8 of the Khyber Pakhtunkhwa Civil Servants Act 1973, the Final/un-disputed Seniority List of Engineers (BS-18) of Irrigation Department as approved by the competent authority, as it stood on 31.03.2017 is notified as under:-

Name of officer and Education Qualification	Date of birth with Domicile	Date of entry into Govt Service on regular basis.	First Regular Appointment to the Service/Cadre			Promotion to Present Grade/Cadre		Place of present posting/Date of posting	Remarks
			Date	BPS	Method of Recruitment	BPS	Date		
Mr. Niaz Sarwar BE (Civil)	27-1-1960 D.I.Khan	26-4-1988	3-5-1988	17	By initial recruitment	18	3-4-1998	Project Manager, Remodeling of Warsak Canal System Project, Peshawar. Dated 04.12.2013	Working as S.E. (BS-19), acting charge.
Mr. Atta-ur- Rehman, BE (Civil)	30-12-1962 Hazara	26-4-1988	26-4-1988	17	By initial recruitment	18	3-4-1998	Project Director, Pehur High Level Canal Extension Project, Swabi. Dated 12.05.2017.	-do-
Sheikh Muhammad Jalil M.Sc (Civil)	1-4-1964 D.I.Khan	26-4-1988	26-4-1988	17	By initial recruitment	18	15.03.2003	Project Director for construction of "Siran Right Bank Canal District Mansehra. Dated 26.07.2017.	-do-
Sahibzada Muhammad Shabir BE (Civil)	20-11-1962 Mansehra	26-4-1988	26-4-1988	17	By initial recruitment	18	15.03.2003	S.E, Peshawar Irrigation Circle, Peshawar. Dated 30.04.2010.	-do-
Malik Mazhar B.E.(Civil)	03-04-1959 Mansehra	26-4-1988	26-4-1988	17	By initial recruitment	18	21.26.2003	Project Director, Rehabilitation of Irrigation System, Peshawar. Dated 01.08.2011	-do-
Mr. Shafiq-ur-Rehman BE (Civil)	31-12-1961 Dir	30-4-1988	30-4-1988	17	By initial recruitment	18	21-6-2003	Superintending Engineer, Irrigation Circle, Swat. Dated 26.07.2013	-do-
Mr. Halder Ali BE (Civil)	1-4-1961 Swat	26-4-1988	26-4-1988	17	By initial recruitment	18	21-6-2003	Superintending Engineer (HQ) North Irrigation. Dated. 02.08.2016,	Working as S.E (OF
Mr. Muhammad Rafiq BE (Civil)	1-1-1958 FR Bannu	26-4-1988	30-4-1988	17	By initial recruitment	18	21-6-2003	Superintending Engineer (OPS), Irrigation Circle, Swabi. Dated 02.08.2016,	Working as S.E (OF
Mr. Aamer Iqbal BE (Civil)	20-10-1962 Mansehra	26-4-1988	30-4-1988	17	By initial recruitment	18	21-6-2003	Director, Small Dams, Peshawar. Dated 03.06.2014	Working as S.E (OF
Mr. Muhammad Shoaib BE (Civil)	30-4-1958 Malakand Agency	26-4-1988	30-4-1988	17	By initial recruitment	18	02-8-2005	Superintending Engineer (OPS), Irrigation Circle, Bannu. Dated 02.08.2016.	Working as S.E (OF

Section Officer
Irrigation Department
Peshawar

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ABDUL WALI KHAN VS GOVT OF PG72.pdf

To

1	Mr. Wali Khan (Civil)	7-10-1947 Swat	23-1-1988	23-1-1988	17	By initial recruitment	18	3-8-2005	Superintending Engineer (C.P.S), Irrigation Circle, Mardan. Dated 04.01.2017.	Working as S.E. (OPS)
2	Mr. Musrim Khan (Civil)	2-3-1958 Hazara	23-1-1988	23-1-1988	17	By initial recruitment	18	2-8-2005	XEN, Hydrology Irrigation Division, Peshawar. Dated 20.09.2016.	-do-
3	Mr. Qabil Shah B.E. (Civil)	1-4-1958 Muhmand Agency	23-1-1988	23-1-1988	17	By initial recruitment	18	2-8-2005	Deputy Director, Rehabilitation for Irrigation System Project, Peshawar. Dated 05.06.2014	-do-
4	Mr. Noor Kamal Khan (Mechanical)	10-9-1959 Bannu	23-1-1988	23-1-1988	17	By initial recruitment	18	2-8-2005	Deputy Director (Design) office of Chief Engineer (North) Irrigation. Dated 11.05.2016.	-do-
5	Mr. Nawab Ali Khan (Civil)	27-11-1959 Karak	23-1-1988	23-1-1988	17	By initial recruitment	18	2-8-2005	Deputy Director (Planning) office of Chief Engineer (South) Irrigation. Dated 28.04.2016.	-do-
6	Mr. Farooq Ahmad (Civil)	01-04-1961 Mardan	23-1-1988	23-1-1988	17	By initial recruitment	18	05.03.2008	XEN, Swabi Irrigation Division-II, Swabi. Dated 26.04.2017.	-do-
7	Mr. Abdul Rauf Khan (Civil)	04-04-1961 Mansehra	23-1-1988	23-1-1988	17	By initial recruitment	18	5-3-2008	Deputy Director, Remodeling of Warsak Canals System Project, Peshawar. Dated 28.04.2016.	-do-
8	Mr. Hayat-ud-Din, B.E. (Civil)	18.05.1963 Dir	27.09.1987	23.1.1988	17	By initial recruitment	18	12.10.2012	XEN, Dir Irrigation Division, Dir. Dated 29.03.2017.	-do-
9	Mr. Izzat Khan, BE (Civil)	01.06.1965 F.R. Kohat	27.09.1987	23.01.1988	17	By initial recruitment	18	12.10.2012	Section Officer (Operation) Irrigation Department. Dated 18.09.2012	-do-
10	Mr. Musleh-ud-Din B. E. (Mechanical)	09.10.1959 NW Agency	08.09.1986	23.08.1989	17	By promotion	18	12.10.2012	XEN, Marwat Canal Division, Bannu. Dated 20.07.2017	-do-
11	Mr. Amjad Khan B. E. (Mechanical) M. Sc.	07.02.1964 Mohmand Agency	02.10.1989	09.10.1989	17	By initial recruitment	18	12.10.2012	Deputy Director, Rehabilitation of Irrigation System Project, Peshawar. Dated 28.08.2015	-do-
12	Mr. Wilayat Khan B.E. (Civil)	17.02.1968 Mardan	05.12.1991	05.12.1991	17	By initial recruitment	18	12.10.2012	Deputy Project Director, PHLCEP. Dated 06.09.2017	-do-
13	Mr. Zahoor Mohammad B.Sc (Civil)	01.01.1965 Bannu	05.12.1991	05.12.1991	17	By promotion	18	30.12.2014	XEN, Mardan Irrigation Division, Mardan. Dated 01.09.2016	-do-
14	Mr. Ghulam Ishaq Khan (Civil)	14.08.1965 Dir	05.12.1991	05.12.1991	17	By initial recruitment	18	15.03.2017	XEN, Swat Irrigation Division, - Swat. Dated 29.03.2017.	-do-

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Section Officer
Govt. of Kh. P.
Irrig. Div.

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Mr. Wajid Ahmad Khan (Civil)	13.04.1964 F.R. Bannu	05.12.1991	05.12.1991	17	By initial recruitment	18	15.03.2017	XEN, Flood Irrigation Division, D.I. Kann. Dated 26.04.2017.	-do-
Mr. Aftab Ahmad B.E (Civil)	01.01.1967 Mohmand Agency	05.12.1991	05.12.1991	17	By initial recruitment	18	15.03.2017	XEN, Mainland Irrigation Division, Mainland. Dated 15.09.2015.	-do-
Mr. Khizar Hayat B.E (Civil)	13.03.1965 Dir	05.12.1991	05.12.1991	17	By initial recruitment	18	15.03.2017	Deputy Director (P&C), Small Dams, Peshawar. Dated 29.12.2015.	-do-
Mr. Rooh-ul-Mohsin B.E (Civil)/M.Sc Water Resources	28.04.1966 Charsadda	20.05.1992	20.05.1992	17	By initial recruitment	18	15.03.2017	Deputy Director, Small Dams, Directorate against the newly created post. Dated 07.09.2017	-do-

Certified that seniority list of Executive Engineers (BS-18) of Irrigation Department is final/undisputed.

Secretary to Govt. of Khyber Pakhtunkhwa
Irrigation Department

Dated Peshawar, the 18th September, 2017

Endst: No. SO(E) IRR/2-1/2006/Vol-IV
Copy of the above is forwarded to :

1. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. The Chief Engineer (South) Irrigation Department.
3. The Chief Engineer (North) Irrigation Department.
4. The Director General, Small Dams, Peshawar.
5. The Director, Planning & Monitoring Directorate, Irrigation Department, Peshawar.
6. The Project Director, Remodeling of Warsak Canals System Project, Peshawar.
7. The Project Director, Rehabilitation of Irrigation System Project, Peshawar.
8. The Project Director, Siran Right Banak Canal District Manshehra.
9. The Project Director, Pehur High Level Canal Extension Project, Swabi.
10. All Superintendent Engineers of Irrigation Department.
11. The officers concerned.
12. All Executive Engineers of Irrigation Department.
13. PS to Chief Secretary, Khyber Pakhtunkhwa.
14. PS to Secretary Establishment & Administration Department.
15. The Section Officer (Dev) Irrigation Department.
16. The Section Officer (General) Irrigation Department.
17. P.S to Secretary Irrigation Department, Peshawar.
18. P.A to Additional Secretary, Irrigation Department.
19. P.A to Deputy Secretary (Tech.) Irrigation Department.
20. Personal files of the officers.

(Signature)
Section Officer (Estt)
Govt. of Khyber Pakhtunkhwa
Irrigation Department

(Signature)
(FAZAL ELAHI)
SECTION OFFICER (ESTT)

(Signature)



A-1

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**GOVERNMENT OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT**

Dated Peshawar 4th December, 2013

NOTIFICATION

No. SOE/IRRI/4-1/71: The competent authority is pleased to order postings/transfers of the following officers of Irrigation Department with immediate effect in the public interest:-

S.#	Name of Official	From	To
1-	Engr. Nasir Ghafoor Khan, Superintending Engineer (BS-19)	Awaiting posting	Project Director, Bazai Irrigation Project, Mardan. Vice No.2.
2-	Engr. Niaz Sarwar Baloch, Superintending Engineer (BS-19)	Project Director, Bazai Irrigation Project, Mardan. Vice No.2.	Project Manager, Remodelling of Warsak Canal System/Project Director, FDRD. Against the vacant post.

Secretary to Govt. of Khyber Pakhtunkhwa
Irrigation Department

Encls: No. & Date as above

Copy of the above is forwarded to:-

1. The Accountant General Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. The Chief Engineer (South), Irrigation Department.
4. The Chief Engineer (North), Irrigation Department.
5. The Director General, Small Dams, Peshawar.
6. The Director General, Remodelling of Warsak Canal System/FDRD, Peshawar.
7. The Superintending Engineer (H/Qs) North & South Irrigation.
8. The Project Director, Bazai Irrigation Project, Mardan.
9. The Project Director, Rehabilitation for Irrigation System, Peshawar.
10. The Director (PMC) Irrigation Department.
11. The Deputy Secretary (Tech) Irrigation Department.
12. PSO to Chief Minister, Khyber Pakhtunkhwa.
13. The District Accounts Officer, Mardan.
14. The officers concerned.
15. PS to Secretary Irrigation Department.
16. Master file.
17. Personal files of the officers.

(Signature)
Section Officer (Estt)
Govt. of Khyber Pakhtunkhwa
Irrigation Department
(MISAL KHAN)
SECTION OFFICER (ESTI)



A-12

GOVERNMENT OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT

Dated Peshawar 12th May, 2017

NOTIFICATION

No. SO(E)/IRRI/4-24/2017/PHLCEP: The competent authority is pleased to order postings/transfers of the following officers of Irrigation Department with immediate effect in the public interest:-

S. No	Name of the Officer	From	To
1	Engr. Atta-ur-Rehman, Superintending Engineer (BS-19), Acting Charge.	Project Director for construction of "Siran Right Bank Canal" District Mansehra.	Project Director, Peshawar High Level Canal Extension Project.
2	Engr. Muhammad Sajjad, Assistant Engineer (BS-17).	SDO, Irrigation Sub Division, Battagram.	Deputy Director (Civ. Works), Peshawar High Level Canal Extension Project on his own pay scale.

Secretary to Govt. of Khyber Pakhtunkhwa
Irrigation Department

Endst. No. & Date as above

Copy of the above is forwarded to:-

- 1- The Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2- The Chief Engineer (North), Irrigation Department, Peshawar.
- 3- The Chief Engineer (South), Irrigation Department, Peshawar.
- 4- The Superintending Engineer (H/Q) North Irrigation, Peshawar.
- 5- The Superintending Engineer (H/Q) South Irrigation, Peshawar.
- 6- The Director (Tech.) PMC Irrigation Department.
- 7- The Deputy Secretary (Tech) Irrigation Department.
- 8- The Project Director for construction of Siran Right Bank Canal, District Mansehra.
- 9- The Superintending Engineer, Irrigation Circle, Swabi.
- 10- The XEN, Hazara Irrigation Division, Abbotabad.
- 11- The officers concerned.
- 12- The District Accounts Officers, Abbotabad, Battagram, Mansehra & Swabi.
- 13- The Section Officer (Dev.) Irrigation Department.
- 14- PS to Senior Minister for Irrigation, Khyber Pakhtunkhwa, Peshawar w/r to his Dairy No. 311 dated 28.04.2017.
- 15- PS to Secretary Irrigation Department, Peshawar.
- 16- Personal Files of the Officers.
- 17- Master file.

(Signature)
Section Officer (ESTT)
Govt. of Khyber Pakhtunkhwa
Irrigation Department

(Signature)
(FAZAL ELAHI)
SECTION OFFICER (ESTT:)

(Signature)

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. III
GAZETTE

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KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, SATURDAY, 2ND APRIL, 2011.

GOVERNMENT KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT,

NOTIFICATION

Dated Peshawar the 17th February, 2011

NO.SQ(E)IRR/23-5/73: In pursuance of the provisions contained in sub e (2) of Rule-3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all previous rules and notifications, issued in this behalf, except Notification No.SQ(E)IRR/23-5/73 dated 12-2006, the Irrigation Department, in consultation with the Establishment Department and the Finance Department hereby lays down, the method of recruitment, qualification and other conditions specified in columns No. 3 to 5 of the Appendix (pages 1 to 5) to this Notification which shall be applicable to the posts in column No. 2 of the Appendix.

Secretary to Government of the Khyber Pakhtunkhwa Province
Irrigation Department.

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Printed and published by the Manager,
State & P.G. Dept., Khyber Pakhtunkhwa, Pesh.

[Handwritten signature]
Secretary to Government
Irrigation Department

[Handwritten signature]
Section Officer (ESK)
Govt. of Khyber Pakhtunkhwa
Irrigation Department

[Handwritten signature]

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KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 2ND APRIL, 2011

APPENDIX

1 Designation of Post	2 Qualification for appointment	3 Age Limit	4 Method of Recruitment
ENGINEERING STAFF			
1 Engineer/ Director-General (BPS-20)			By selection, on merit from amongst the Senior Superintending Engineers and Directors with at least seventeen years service in BPS-17 and above, possessing Degree in B.E/B.Sc Engineering (Civil) from a recognized University.
2 Superintending Engineer/Director (BPS-19)			By promotion, on the basis of seniority-cum-fitness, from amongst the Executive Engineers/Deputy Directors with at least twelve years service in BPS-17 and above.
3 Executive Engineer/Deputy Director (BPS-18)			By promotion, on the basis of seniority-cum-fitness, from amongst the Sub Divisional Officers, Assistant Engineers and Assistant Directors possessing Degree in B.E/B.Sc Engineering (Civil or Mechanical) from a recognized University, with at least five years service as such, and have passed the Professional or Revenue Examination under the prescribed rules.
4 Assistant Engineer/Sub Divisional Officer/Assistant Director (BPS-17)	BE/BSc Degree in Civil/Mechanical Engineering from a recognized University	21 to 32 years	<ul style="list-style-type: none"> a. Sixty five percent by initial recruitment b. Ten percent by promotion, on the basis of seniority-cum-fitness, from amongst the Sub Engineer's who has acquired during service degree in Civil or Mechanical Engineering from a recognize University. c. Five percent by promotion, on the basis of seniority-cum-fitness from amongst the Sub Engineer's who joined service as degree holders in Civil/Mechanical Engineering and d. Twenty percent by promotion, on the basis of seniority-cum-fitness from amongst the Sub Engineer's, who hold a diploma of Civil, Mechanical, Electrical or Auto Technology and have passed Departmental Grade A examination with ten years service as such. <p>Note: Provided that where candidate under Clause (b) & (c) above is not available for promotion, the vacancy shall be filled in by initial recruitment.</p>
5 Sub Engineer (BPS-16)	Diploma of Associate Engineering in Civil/Mechanical/Auto/Electrical Technology from a recognized institute.	16 to 30 years	<ul style="list-style-type: none"> a. Eighty percent by initial recruitment, and b. Twenty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Canal Inspectors, Work Takers, Gauge Readers, Surveyors and other establishments having Diploma of Associate Engineering in Civil, Mechanical, Electrical or Auto Technology from a recognized

Atty
Govt

Section Officer (Estt)
Govt of Khyber Pakhtunkhwa
Irrigation Department

Abdul Wali Khan

Wakalat nama

In the K.P. Service Tribunal vs Peshawar

(83)

Service Appeal,/2020

Dated 12.8.2020

Represent

Abdul Wali Khan Appellant

Govt of K.P. VS
Hqs. Chief Secretary & others Respondent

I Abdul Wali Yousafzai, the Appellant hereby appoint, Mr. Nazir Ahmad Advocate, Peshawar High Court Peshawar as my Counsel in subject proceedings and authorize him to appear, plead, compromise, withdraw or refer the matter for arbitration for me without any liability for his default and with the authority to engage/appoint any other advocate/counsel at my expense if necessary and receive all sums and amounts payable to me and to all such acts which he may deem necessary for protecting my interests in the matter. He is authorized to file Appeal, Revision, Review and Application for restoration or Application for setting-aside ex-parte decree proceedings on my behalf.

Abdul Wali Yousafzai
Appellant
Abdul Wali Yousafzai
Appellant

Nazir Ahmad
12/8/20

Accepted and Attested

NAZIR AHMAD

Advocate

12/8/20 M.A. LLB LL.M

Nazir Ahmad

Advocate, Peshawar

CNIC : 17301-1585525-9

Cell: 0301-8571879

: 0332-8540783

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

Appeal No. 1535 of 20 22
Abdul Waris Khan Appellant/Petitioner

SB

Through Chief Secy ^{Versus} Respondent
Respondent No. (1)

Notice to: Govt of KPK through Chief Secy Peshawar


WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on 04/11/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which is the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

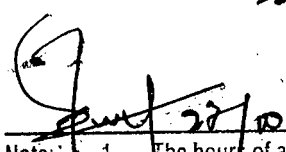
Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 27th Day of Oct 2022.

For Reply



Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.



Note: 1. The hours of attendance in the court are the same that of the High Court except Sundays and Gazetted Holidays.
2. Always quote Case No. While making any correspondence

“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

S. Appeal 1535

SB

Appeal No. of 2022

Abdul Wahid Khan

Appellant/Petitioner

Through Chief ^{Versus} Secy

Respondent

Respondent No. (2)

Notice to: —

Secy Irrigation KPK Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....04/11/2022.....at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which is the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you side this office~~ Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this..... 27th.....

Day of..... Oct..... 2022.

27-10-2022 For Reply

[Signature]

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Secretary (Legal) AB

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
 JUDICIAL COMPLEX (OLD), KHYBER ROAD,
 PESHAWAR.

No.

Appeal No. 1535 of 20 22
Abdul wali Khan Appellant/Petitioner

SP

Through Chief Secy Respondent
 Respondent No. (3)

Notice to: Chief Engineer, Irrigation Deptt. Waisale Road Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....04/11/2022.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which is the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you~~ office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 27th

Day of Oct 20 22
 OFFICE OF C.E (North) IRR. DEPTT.

Received	
Date <u>05/11/2022</u>	
SWC	S.B
SWO	S.A
SR	CDM

Reply

[Signature]
 Registrar

Khyber Pakhtunkhwa Service Tribunal
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted holidays.
 2. Always quote Case No. While making any correspondence.